

JOURNAL OF THE HOUSE

Fifty-seventh Legislative Assembly

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Bismarck, March 2, 2001

The House convened at 12:30 p.m., with Speaker Bernstein presiding.

The prayer was offered by Pastor Tom Dunham, First Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Disrud, Ekstrom, Fairfield, Gulleason, Keiser, Kelsch, R., Svedjan, Wald, and Wentz.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. BOUCHER: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

**PROCLAMATION
State of North Dakota
House of Representatives**

WHEREAS, the citizens of North Dakota stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the citizens of North Dakota understand the importance of community involvement in the education of our children and youth and that educational investment is in the best interest of the community's well-being and long-term quality of life; and

WHEREAS, Read Across America, a national celebration of Dr. Seuss' birthday on March 2, promotes reading and adult involvement in the education of North Dakota's children;

**NOW, THEREFORE, THE NORTH DAKOTA HOUSE OF REPRESENTATIVES
HEREBY PROCLAIMS MARCH 2, 2001, AS:**

READ ACROSS NORTH DAKOTA DAY

BECAUSE you're never too old, too wacky, too wild to pick up a book and read to a child!

REQUEST

REP. BOUCHER REQUESTED that his remarks be printed in the Journal, which request was granted.

MOTION

REP. FROSETH MOVED that SB 2217 be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Rep. Froseth's motion, SB 2217 was rereferred.

MOTION

REP. BELTER MOVED that SB 2249 be laid over one legislative day, which motion prevailed.

MOTION

REP. BERG MOVED that SB 2358 be rereferred to the **Transportation Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, SB 2358 was rereferred.

SECOND READING OF HOUSE CONCURRENT RESOLUTION ON CONSENT CALENDAR

HCR 3065: A concurrent resolution directing the Legislative Council to study the negative impact due to diminishing rail access and service, the cost to industry, business, and communities of shifting rail services to state and local highway systems, and the feasibility and desirability of funding enhanced rail facilities including an intermodal rail facility in this state.

The question being on the final adoption of the resolution, which has been read.

HCR 3065 passed on a voice vote, and the title was agreed to.

SPEAKER BERNSTEIN recognized former Rep. Gerry Wilkie in the House Chambers.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3053: A concurrent resolution directing the Legislative Council to study the effects of having one dominant health care insurer in this state and the impact on the continued availability, viability, and financial stability of rural health care.

ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 87 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Warner

NAYS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleeson; Keiser; Kelsch, R.; Maragos; Svedjan; Wald; Wentz

HCR 3053 lost.

SECOND READING OF SENATE BILL

SB 2164: A BILL for an Act to amend and reenact sections 1-03-04 and 6-01-01, subsections 1 and 2 of section 6-01-01.1, subsections 5 and 8 of section 6-01-02, subsection 1 of section 6-01-04.1, subsection 1 of section 6-01-04.2, subsection 4 of section 6-01-10, section 6-01-13, subsection 1 of section 6-01-15, section 6-01-17.2, subsection 2 of section 6-02-01, sections 6-03-11, 6-03-13.5, 6-03-70, and 6-05-02, subsection 2 of section 6-05-04, subsections 1 and 3 of section 6-05-15.4, subsection 2 of section 6-05-15.5, section 6-05-28, subsection 1 of section 6-06-08, sections 6-06-08.2 and 6-06-08.3, subsection 2 of section 6-06-35, section 6-06-36, subsection 4 of section 6-08.1-01, section 6-08.2-02, subsection 3 of section 6-08.3-01, section 6-09-29, subsection 4 of section 6-09-35, section 6-10-06, sections 7-01-03, 7-01-09, and 7-01-11, subsection 2 of section 7-01-12, section 7-01-14, subsection 5 of section 7-02-01, subsections 1, 9, and 10 of section 7-02-08, sections 7-03-01, 7-03-03, 7-03-04, and 7-03-05, subsection 4 of section 7-03-07, sections 7-04-20, 7-05-01, 7-05-02, 7-05-03, 7-05-04, 7-05-05, 7-05-06, 7-05-07, 7-06-01, 7-06-02, 7-06-03, 7-06-04, 7-06-05, 7-06-07, 7-07-02, 7-07-03, 7-07-05, 7-07-06, 7-07-07, 7-07-08, 7-07-12, 7-08-01, 7-08-03, and 7-08-05, subsection 2 of section 10-04-05, subsection 2 of section 12.1-06.1-01, subsection 1 of 13-03.1-01, subsection 1 of 13-03.1-11, sections 13-04.1-01, 13-04.1-03, 13-04.1-05, 13-04.1-06, 13-04.1-08, 13-04.1-10, 13-04.1-11, 13-04.1-13, 13-05-01, 13-05-03, 13-05-05, and 13-05-06, subsection 1 of section 13-05-06.1, sections 13-05-08, 13-05-08.1, and 23-21.1-03, subsection 2 of section 51-17-02, subsection 1 of section 54-06-04, subsection 16 of section 54-11-01, and section 54-11-07 of the North Dakota Century Code, relating to the name of the department of banking and financial institutions; and to provide for legislative council correction of statutory references.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin;

Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleson; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

Engrossed SB 2164 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2099: A BILL for an Act to amend and reenact subsection 3 of section 38-08-04.5, section 38-08-21, and subsection 7 of section 38-12-01 of the North Dakota Century Code, relating to the abandoned oil and gas well plugging and site reclamation fund, control of gas and oil resources, and subsurface mineral regulation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleson; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2099 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2146: A BILL for an Act to amend and reenact section 40-05.1-05 of the North Dakota Century Code, relating to the places to file home rule charter; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Delzer; Disrud; Ekstrom; Fairfield; Gulleson; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2146 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2158: A BILL for an Act to amend and reenact section 39-04-10.10 of the North Dakota Century Code, relating to interest earned from the sale of veterans' cemetery license plates.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 0 NAYS, 0 EXCUSED, 11 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Delzer; Disrud; Ekstrom; Fairfield; Gulleson; Kasper; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2158 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2161: A BILL for an Act to amend and reenact section 43-20-02, subsection 2 of section 43-20-03, sections 43-20-06 and 43-20-07, subsection 1 of section 43-20-12, sections 43-20-12.1, 43-28-05, 43-28-12.2, 43-28-16, and 43-28-17, and subsection 1 of section 43-28-25 of the North Dakota Century Code, relating to dentists and dental hygienists registration, licensure, and practice.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleson; Kasper; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2161 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2178: A BILL for an Act to enter the interstate wildlife violator compact; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 9 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson;

Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Kretschmar; Kroeber; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Weiler; Weisz; Wikenheiser; Winrich; Speaker Bernstein

NAYS: Delzer; Froelich; Kerzman; Koppelman; Lemieux; Lloyd; Ruby; Warner; Wrangham

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleason; Kasper; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2178 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2260: A BILL for an Act to amend and reenact sections 37-14-06 and 37-14-12 of the North Dakota Century Code, relating to loans from the veterans' aid fund and appeals from the department of veterans' affairs.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleason; Kasper; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2260 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2283: A BILL for an Act to amend and reenact section 37-01-34 of the North Dakota Century Code, relating to the recordation of armed forces discharge papers.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleason; Kasper; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2283 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2284: A BILL for an Act to amend and reenact section 37-01-40 of the North Dakota Century Code, relating to the uniform service dates for wartime veterans.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleson; Kasper; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2284 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2363: A BILL for an Act to amend and reenact section 39-01-05 of the North Dakota Century Code, relating to the prohibition on expense reimbursement by state officers and employees while engaged in political activity.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleson; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2363 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2421: A BILL for an Act to amend and reenact section 2-05-01 of the North Dakota Century Code, relating to the aeronautics commission.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.;

Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Warner; Weiler; Weisz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Disrud; Ekstrom; Fairfield; Gulleson; Keiser; Kelsch, R.; Svedjan; Wald; Wentz

SB 2421 passed and the title was agreed to.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1038, HB 1053.

SENATE AMENDMENTS TO HOUSE BILL NO. 1038

Page 2, line 27, overstrike "upon"

Page 2, line 28, overstrike "payment in advance of" and insert immediately thereafter "if the individuals pay"

ReNUMBER accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1053

Page 1, line 12, overstrike "the state engineer,"

Page 1, line 13, overstrike "commissioner of" and after "agriculture" insert "commissioner"

ReNUMBER accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1117.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1117

Page 1, line 3, remove "and" and after "date" insert "; and to declare an emergency"

Page 2, after line 22, insert:

"**SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure."

ReNUMBER accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has failed to pass: HB 1128.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed unchanged: HB 1042, HB 1072, HB 1078, HB 1086, HB 1087, HB 1093, HB 1104, HB 1139, HB 1152, HB 1155, HB 1351.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1207, HB 1374, HB 1471.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3056, HCR 3058, HCR 3062, HCR 3067, HCR 3069.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2134.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has passed unchanged: SB 2072, SB 2079, SB 2147, SB 2157, SB 2189, SB 2428, SCR 4008.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause failed: SB 2230.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1060, HB 1062, HB 1067, HB 1068, HB 1070, HB 1076, HB 1080, HB 1081, HB 1082, HB 1083, HB 1090, HB 1095, HB 1096, HB 1110, HB 1127, HB 1129, HB 1132, HB 1138, HB 1140, HB 1143, HB 1144, HB 1176, HB 1178, HB 1183, HB 1194, HB 1209, HB 1250, HB 1346, HB 1365.

REPORT OF STANDING COMMITTEE

HCR 3066: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3066 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "creating a commerce cabinet" with "increasing the communication between the executive and legislative branches"

Page 1, line 5, after "forum" insert "at the executive level or legislative level"

Page 1, line 7, replace "a commerce cabinet consisting of" with "increased communications between"

Page 1, line 8, replace "a" with "the" and replace "Commissioner" with "Commissioners"

Page 1, line 11, remove ", that meets at least quarterly"

Page 1, line 18, replace "creating a commerce" with "increasing the communication between the executive and legislative branches"

Page 1, line 19, remove "cabinet"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2025: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2025 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2054, as engrossed: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2054 was placed on the Sixth order on the calendar.

Page 1, line 2, after "highways" insert "; and to declare an emergency"

Page 1, line 8, after "the" insert "vehicle travels at speeds of thirty miles [48.28 kilometers] per hour or less or the"

Page 1, after line 18, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2057: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2057 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2061: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2061 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2065: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2065 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2073, as engrossed: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2073 was placed on the Sixth order on the calendar.

Page 2, line 10, replace "thirty-five" with "fifty"

Page 2, line 12, replace "thirty-five" with "fifty"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2100, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2100 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2101, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2101 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2128: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2128 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2152: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2152 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2171: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2171 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2172: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2172 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the first comma with "and" and remove ", and 4-34-07"

Page 1, line 2, replace "the purposes," with "beef promotion and the" and remove "commission members, and"

Page 1, line 3, remove "compensation of commission"

Page 2, remove lines 19 through 25

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2207: Transportation Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (7 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). SB 2207 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2110: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2110 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2111: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2111 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2214: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2214 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2353: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2353 was placed on the Fourteenth order on the calendar.

MOTION

REP. MONSON MOVED that the absent members be excused, which motion prevailed.

MOTION

REP. MONSON MOVED that the House be on the Fifth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 5, 2001, which motion prevailed.

The House stood adjourned pursuant to Representative Monson's motion.

MARK L. JOHNSON, Chief Clerk