

## JOURNAL OF THE HOUSE

## Fifty-eighth Legislative Assembly

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Bismarck, January 31, 2003

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

The prayer was offered by Rev. Keith Ritchie, Cornerstone Community Church, Bismarck.

The roll was called and all members were present except Representatives Boe, Warnke, and Wentz.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**REP. BERG MOVED** that the amendments on the Sixth order of business to HB 1092, HB 1159, HB 1227, HB 1237, HB 1266, HB 1283, HB 1310, HB 1336 and HB 1436 be adopted, which motion prevailed.

HB 1092, HB 1159, HB 1227, HB 1237, HB 1266, HB 1283, HB 1310, HB 1336 and HB 1436, as amended, were placed on the Eleventh order of business on the calendar.

## MOTION

**REP. BERG MOVED** that HB 1357 be returned to the House floor from the **Judiciary Committee** for the purpose of withdrawal, which motion prevailed.

## REQUEST

**REP. BERG REQUESTED** the unanimous consent of the House to withdraw HB 1357. There being no objection, it was so ordered by the Speaker.

## MOTION

**REP. BERG MOVED** that HCR 3022 be returned to the House floor from the **Natural Resources Committee** for the purpose of withdrawal, which motion prevailed.

## REQUEST

**REP. BERG REQUESTED** the unanimous consent of the House to withdraw HCR 3022. There being no objection, it was so ordered by the Speaker.

## MOTION

**REP. BERG MOVED** that HB 1172 be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, HB 1172 was rereferred.

## MOTION

**REP. BERG MOVED** that HB 1407, which is on the Eleventh order, be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, HB 1407 was rereferred.

## MOTION

**REP. BERG MOVED** that HB 1251 be laid over one legislative day, which motion prevailed.

## MOTION

**REP. KEMPENICH MOVED** that the House reconsider its action whereby HB 1196 failed to pass, which motion lost on a verification vote.

## SECOND READING OF HOUSE BILL

**HB 1089:** A BILL for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code, relating to a probation officer taking a defendant into custody for treatment and rehabilitation in lieu of revocation of probation.

## 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 90 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom;

Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**NAYS:** Delzer

**ABSENT AND NOT VOTING:** Boe; Warnke; Wentz

HB 1089, as amended, passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1189:** A BILL for an Act to amend and reenact section 29-01-15 of the North Dakota Century Code, relating to the issuance of search warrants by municipal judges.

### 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**ABSENT AND NOT VOTING:** Boe; Warnke; Wentz

HB 1189, as amended, passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1320:** A BILL for an Act to amend and reenact section 11-19.1-11 of the North Dakota Century Code, relating to the confidentiality of photographs and video recordings.

### 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**ABSENT AND NOT VOTING:** Boe; Clark; Warnke; Wentz

HB 1320, as amended, passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1351:** A BILL for an Act to create and enact section 19-03.1-22.2 of the North Dakota Century Code, relating to exposure of children or vulnerable adults to controlled substances; to provide a penalty; and to declare an emergency.

**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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**ABSENT AND NOT VOTING:** Boe; Warnke; Wentz

HB 1351, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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**MOTION**

**REP. BERG MOVED** that HB 1119 be placed at the bottom of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1166:** A BILL for an Act to amend and reenact sections 15.1-07-16, 15.1-09-46, 15.1-27-20, and 15.1-27-29 of the North Dakota Century Code, relating to reports made to the county superintendent of schools and the superintendent of public instruction.

**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 81 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Metcalf; Monson; Mueller; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**NAYS:** Carlson; Grande; Kelsch, R.; Meier; Nelson; Porter; Ruby; Sitte; Wald

**ABSENT AND NOT VOTING:** Boe; Maragos; Warnke; Wentz

HB 1166 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1191:** A BILL for an Act to amend and reenact section 39-08-01 of the North Dakota Century Code, relating to the drug court program.

**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, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**ABSENT AND NOT VOTING:** Boe; Brusegaard; Maragos; Norland; Warnke; Wentz

HB 1191 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1195:** A BILL for an Act to amend and reenact section 35-20-08 of the North Dakota Century Code, relating to attorney's liens.

**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, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**ABSENT AND NOT VOTING:** Boe; Brusegaard; Maragos; Warnke; Wentz

HB 1195 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1238:** A BILL for an Act to amend and reenact subsection 1 of section 39-08-20 of the North Dakota Century Code, relating to driving without liability insurance.

**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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**ABSENT AND NOT VOTING:** Boe; Maragos; Warnke; Wentz

HB 1238 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1244:** A BILL for an Act to amend and reenact section 54-05.1-02 of the North Dakota Century Code, relating to exceptions from the definition of a lobbyist.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 82 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Belter; Carlson; Delzer; Grande; Grosz; Timm; Wald; Wrangham

**NAYS:** Aarsvold; Amerman; Bellew; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Acting Speaker Kretschmar

**ABSENT AND NOT VOTING:** Boe; Maragos; Warnke; Wentz

HB 1244 lost.

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### MOTION

**REP. BERG MOVED** that HB 1254 be placed at the bottom of the calendar, which motion prevailed.

### SECOND READING OF HOUSE BILL

**HB 1256:** A BILL for an Act to create and enact a new subsection to section 43-19.1-02, a new subsection to section 43-19.1-14, a new subsection to section 43-19.1-15, and a new section to chapter 43-19.1 of the North Dakota Century Code, relating to definitions, registration of professional engineers, qualifications of engineers in training, and continuing professional education; and to amend and reenact subsections 2 and 3 of section 43-19.1-14 of the North Dakota Century Code, relating to registration of professional engineers.

### 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, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**NAYS:** Kreidt

**ABSENT AND NOT VOTING:** Boe; Maragos; Warnke; Wentz

HB 1256 passed and the title was agreed to.

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**MOTION**

**REP. BERG MOVED** that HB 1254 be moved to the top of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1254:** A BILL for an Act to adopt the interstate compact for juveniles.

**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, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**NAYS:** Brusegaard; Delzer

**ABSENT AND NOT VOTING:** Boe; Maragos; Warnke; Wentz

HB 1254 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1259:** A BILL for an Act to amend and reenact section 15.1-09-06 of the North Dakota Century Code, relating to the salary of school board members.

**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 72 YEAS, 19 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Glassheim; Grande; Grosz; Haas; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Maragos; Martinson; Meier; Nelson; Nicholas; Norland; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Weiler; Wieland; Wikenheiser; Williams; Wrangham; Zaiser; Acting Speaker Kretschmar

**NAYS:** Aarsvold; Bellew; Ekstrom; Froelich; Galvin; Gulleeson; Hanson; Kelsh, S.; Kerzman; Klein, F.; Kroeber; Metcalf; Monson; Mueller; Niemeier; Nottestad; Thorpe; Weisz; Winrich

**ABSENT AND NOT VOTING:** Boe; Warnke; Wentz

HB 1259 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1267:** A BILL for an Act to amend and reenact section 14-07-08 of the North Dakota Century Code, relating to the liabilities of a husband and wife for medical care debts.

**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 74 YEAS, 17 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Grande; Grosz; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, M.; Klemm; Koppelman; Kreidt; Maragos; Martinson; Meier; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Acting Speaker Kretschmar

**NAYS:** Aarsvold; Boucher; Ekstrom; Froelich; Glassheim; Gulleeson; Kelsh, S.; Kerzman; Klein, F.; Kroeber; Metcalf; Sandvig; Schmidt; Solberg; Thorpe; Warner; Zaiser

**ABSENT AND NOT VOTING:** Boe; Warnke; Wentz

HB 1267 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1276:** A BILL for an Act to amend and reenact subdivision d of of subsection 8 of section 10-04-06 of the North Dakota Century Code, relating to securities exempt from registration.

### 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 84 YEAS, 1 NAY, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Carlisle; Carlson; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Metcalf; Monson; Mueller; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Kretschmar

**NAYS:** Brusegaard

**ABSENT AND NOT VOTING:** Boe; Boucher; Clark; Meier; Nelson; Price; Ruby; Warnke; Wentz

HB 1276 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1277:** A BILL for an Act to amend and reenact section 39-06-16 of the North Dakota Century Code, relating to the display of a motor vehicle operator's license.

### 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 76 YEAS, 13 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Galvin; Glassheim; Gulleeson; Hanson; Hawken; Headland; Herbel; Hunskor; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Acting Speaker Kretschmar

**NAYS:** Bellew; Belter; Carlson; Delzer; Froseth; Grande; Grosz; Haas; Iverson; Kasper; Keiser; Sitte; Wrangham

**ABSENT AND NOT VOTING:** Boe; Clark; Nelson; Warnke; Wentz

HB 1277 passed and the title was agreed to.

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**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2042, SB 2103, SB 2128, SB 2148, SB 2171, SB 2173, SB 2185, SB 2210, SB 2217, SB 2235.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2211.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1063, HB 1090, HB 1101, HB 1135, HB 1168, HB 1178, HB 1184, HB 1185, HB 1210, HB 1212, HB 1230, HB 1236, HB 1297.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1115, HB 1149, HB 1163, HB 1269.

**REPORT OF STANDING COMMITTEE**

**HB 1037: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1037 was placed on the Sixth order on the calendar.

Page 1, line 3, after the first comma insert "and" and remove "and 50-12-09,"

Page 1, line 5, after "agencies" insert "and registration of adoption placement facilitators"

Page 1, line 15, after "2." insert "Facilitator services" include:

- a. Maintaining a list or other data base of birth parents or prospective adoptive parents.
- b. Advertising that the person providing the services knows of a child who is available for adoption, is willing to accept a child for adoption, or knows of prospective adoptive parents of a child.

3."

Page 1, line 19, after "**licensed**" insert "- Adoption placement facilitator registration"

Page 1, line 20, after the period insert "The department of human services shall register, on forms prescribed and furnished by the department, adoption placement facilitators that provide or offer to provide facilitator services in this state."

Page 4, remove lines 3 through 12

Page 5, line 19, after the first boldfaced period insert "Licensure requirement - Registration requirement -"

Page 5, line 25, after "placement" insert ". A person may not offer or provide adoption placement facilitator services in this state unless that person is a facilitator registered with the department of human services" and after "who" insert "willfully"

Page 5, line 27, replace the underscored semicolon with "or to"

Page 5, line 28, replace "; facilitate placement of a child by maintaining a list in any form of birth parents or" with an underscored period

Page 5, remove lines 29 through 31

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1056: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1056 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "if located adjacent to a"

Page 1, line 10, remove "boundary of this state and of the municipality"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1120: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1120 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1137: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1137 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 26.1-02-03 of the North Dakota Century Code, relating to requirements for an insurance company to do business in this state; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 26.1-02-03 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-02-03. Inquiry into condition of company - Information supplied to commissioner - Penalty.** The commissioner may address to any insurance company doing or applying for permission to do business in this state any inquiries in relation to ~~its~~ the company's activities, condition, or any other matter connected with ~~its~~ the company's transactions. The company shall reply ~~to the inquiries promptly and in writing~~ to such an inquiry within twenty days of receipt of the inquiry unless within that twenty days the company requests and the commissioner grants an extension of time. It is a violation of this title for a person to knowingly supply the commissioner with false, misleading, or incomplete information.

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1221: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1221 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 23-07.3-01 and 23-07.3-02, subsections 1 and 10 of section 23-07.5-01, and subsections 3, 5, and 6 of section 23-07.5-02 of the North Dakota Century Code, relating to testing for contagious diseases; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 23-07.3-01 of the North Dakota Century Code is amended and reenacted as follows:

**23-07.3-01. Definitions.** In this chapter, unless the context or subject matter otherwise requires:

1. "Contagious disease" means ~~the interruption, cessation, or disorder of body functions, systems, or organs transmissible by association with the~~

~~sick or their secretions or excretions, excluding the common cold a reportable condition or disease under section 23-07-01.~~

2. "Department" means the state department of health.
3. ~~"Emergency medical services provider~~ Exposed individual" means a human being who had a significant exposure with a test subject and who is ~~a firefighter, peace officer, correctional officer, court officer, law enforcement officer, emergency medical technician, or other person an individual~~ trained and authorized by law or rule to render emergency medical assistance or treatment, including an individual rendering aid under chapter 32-03.1.
4. "Licensed facility" means a hospital, nursing home, dialysis center, or any entity licensed by the state to provide medical care.
5. "Significant exposure" means:
  - a. Contact of broken skin or mucous membrane with a patient's ~~or other individual's~~ blood or bodily fluids other than tears or perspiration;
  - b. The occurrence of a needle stick or scalpel or instrument wound in the process of caring for a patient; or
  - c. Exposure that occurs by any other method of transmission defined by the department as a significant exposure.
6. "Test subject" means the individual to be tested after a significant exposure with another individual.

**SECTION 2. AMENDMENT.** Section 23-07.3-02 of the North Dakota Century Code is amended and reenacted as follows:

**23-07.3-02. Procedures following significant exposure - Penalty.**

1. If an ~~emergency medical services provider~~ exposed individual has a significant exposure ~~in the process of caring for a patient with a test subject, the emergency medical services provider~~ exposed individual shall document that exposure. The documentation must be ~~on forms approved by the department, and in the manner and time designated by the department~~ conducted in accordance with the exposed individual's employer's occupational health program or through the exposed individual's health care provider.
2. Upon notification of a significant exposure, or upon receipt of the documentation described in subsection 1, the ~~attending physician~~ exposed individual, that individual's employer, or the exposed individual's health care provider shall request the ~~patient~~ test subject to consent to testing to determine the presence of any contagious disease that may be transmitted by that exposure. The determination of which tests are required must be made by a licensed physician with expertise in infectious diseases. The ~~patient~~ test subject must be informed that the ~~patient~~ test subject may refuse to consent to the test and, if the ~~patient~~ test subject refuses, that the fact of the ~~patient's~~ refusal will be forwarded to the ~~emergency medical services provider~~ exposed individual. If the ~~patient~~ test subject consents to testing, the ~~attending physician~~ test subject shall ~~test~~ be tested for the presence of contagious ~~disease~~ diseases that may be transmitted by that exposure. The testing must be at the expense of the exposed individual or that individual's employer. If the test subject is convicted of a crime relating to the significant exposure or the significant exposure occurred during an arrest or other contact with the exposed individual in the course of that individual's official duties, then a court may order the test subject to pay for the testing.
3. If a ~~patient~~ test subject who is the subject of a ~~reported~~ significant exposure is unconscious or incapable of giving informed consent for testing under this section, that consent may be obtained ~~from the patient's next of kin or legal guardian~~ in accordance with section 23-12-13. If a ~~patient~~ test subject who is the subject of a reported significant exposure dies without an opportunity to consent to testing ~~prior to admission to, or discharge or~~

release from, the facility that received the patient, testing for the presence of any contagious disease that could be transmitted by that exposure must be conducted. The determination of which tests are required must be made by a licensed physician with expertise in infectious diseases.

4. The attending physician health care provider that conducted the test under this section shall report the results of the test to the department and to the emergency medical services provider exposed individual who reported the significant exposure. The physician health care provider shall use a case number instead of the patient's test subject's name in making a report to the emergency medical services provider exposed individual who requested the test to ensure the confidentiality of the patient's test subject's identity. All positive test results must be reported to the department in accordance with section 23-07-02.
5. A health care provider or an exposed individual who has had a significant exposure with a test subject may subject that individual's blood to a test for the presence of a contagious disease or diseases, without the test subject's consent if all of the following apply:
  - a. A sample of the test subject's blood has been drawn for other purposes and is available to be used to test for the presence of contagious disease.
  - b. The exposed individual's personal physician, based on information provided to the physician, determines and certifies in writing that the individual had a significant exposure. The determination of which tests are required must be made by a licensed physician with expertise in infectious diseases. The certification must accompany the request for testing and disclosure.
  - c. The test subject is capable of consenting when the test is requested, has been given an opportunity to be tested with consent, and has not consented.
  - d. Before testing, the test subject is informed, while competent and conscious, that the test subject's blood may be tested for the presence of contagious disease; that the test results may not be disclosed to anyone without the test subject's consent, except to the exposed individual and the department; that if the exposed individual knows the identity of the test subject, the exposed individual may not disclose the identity to any other person, except for the purpose of having the test performed; and that a record of the test results may be placed in the test subject's medical record, and if not in the medical record, may be kept only if the record does not reveal the test subject's identity. A person who discloses the identity of an individual being tested is guilty of a class C felony. Each exposed individual who has had a significant exposure and to whom test results are disclosed shall first sign a document indicating the exposed individual's understanding that the exposed individual may not disclose the information and that disclosing the information is a class C felony.
6. If the test subject does not consent to testing or if consent has not been obtained in accordance with subsection 3, then an exposed individual may petition an appropriate district court for issuance of an order directing the test subject to be tested for the presence of one or more specified contagious diseases that could be transmitted by that exposure. The determination of which tests are required must be made by a licensed physician with expertise in infectious diseases. Upon receiving the petition, the court may issue an order confining the test subject until the hearing or an order establishing reasonable security for that individual's attendance at the hearing. This order may be modified or extended if testing is ordered. The court shall hold a hearing on the petition within three days of the date the court receives the petition. The record of a court hearing conducted under this subsection is confidential. The court may issue an order requiring testing under this subsection only if:
  - a. The test subject has been requested to consent to the testing and has refused to be tested or if consent for testing has not been obtained under subsection 3;

- b. The court finds probable cause to believe that the individual petitioning for the testing had a significant exposure with the test subject;
- c. The petition substitutes a pseudonym for the true name of the test subject;
- d. The court provides the test subject with notice and reasonable opportunity to participate in the proceeding if the test subject is not already a party to the proceeding;
- e. The proceedings are conducted in camera unless the test subject agrees to a hearing in open court; and
- f. The court imposes appropriate safeguards against unauthorized disclosure which must specify the persons who have access to the information, the purposes for which the information may be used, and appropriate prohibition on future disclosure.

**SECTION 3. AMENDMENT.** Subsections 1 and 10 of section 23-07.5-01 of the North Dakota Century Code are amended and reenacted as follows:

- 1. ~~"Emergency medical services provider~~ Exposed individual" means a human being who had a significant exposure with another individual who is subject to testing and who is a firefighter, peace officer, correctional officer, court officer, law enforcement officer, emergency medical technician, or other person an individual trained and authorized by law or rule to render emergency medical assistance or treatment, including a person rendering aid under chapter 32-03.1.
- 10. "Universal precautions" means measures that a health care provider, emergency medical ~~services provider~~ technician, exposed individual, or a person an individual rendering aid under chapter 32-03.1 takes in accordance with recommendations of the federal centers for disease control and prevention concerning human immunodeficiency virus transmission in United States public health care settings service to prevent transmission of disease.

**SECTION 4. AMENDMENT.** Subsections 3, 5, and 6 of section 23-07.5-02 of the North Dakota Century Code are amended and reenacted as follows:

- 3. A health care provider, ~~emergency medical services provider, or a person rendering aid under chapter 32-03.1 who provides care to a patient or handles or processes specimens of body fluids or tissues of a patient and~~ an exposed individual who has had a significant exposure with the patient another individual may subject the patient's that individual's blood to a test for the presence of the human immunodeficiency virus, without the patient's that individual's consent, if all of the following apply:
  - a. A blood sample of the patient's blood individual who is the test subject has been drawn for other purposes and is available to be used to test for the presence of the human immunodeficiency virus.
  - b. The ~~patient's~~ exposed individual's personal physician, based on information provided to the physician, determines and certifies in writing that the individual ~~has~~ had a significant exposure. The certification must accompany the request for testing and disclosure.
  - c. The ~~patient~~ test subject is capable of consenting when the test is requested, has been given an opportunity to be tested with consent, and has not consented.
  - d. Before testing, the ~~patient~~ test subject is informed, while competent and conscious, that the ~~patient's~~ test subject's blood may be tested for the presence of human immunodeficiency virus; that the test results may be disclosed to no one ~~including the patient~~ without the ~~patient's~~ test subject's consent, except to the ~~exposed individual who has had a significant exposure and the department;~~ exposed individual who has had a significant exposure knows the identity of the

~~patient test subject, that the exposed individual~~ may not disclose the identity to any other person, except for the purpose of having the test performed; and that a record of the test results may be placed in the ~~individual's test subject's~~ medical record, and if not in the medical record, may be kept only if the record does not reveal the ~~patient's test subject's~~ identity. A person who discloses the identity of a ~~patient test subject~~ under subsection 3, 4, 5, 6, 7, or 8 is guilty of a class C felony. Each ~~exposed individual who has~~ had a significant exposure and to whom test results are disclosed ~~must shall~~ first sign a document indicating ~~that the exposed individual's~~ understanding that the ~~exposed individual~~ may not disclose the information and that disclosing the information constitutes a class C felony.

5. If ~~a person~~ an individual who is the subject of a ~~reported~~ significant exposure is unconscious or incapable of giving informed consent for testing under this section, that consent may be obtained in accordance with section 23-12-13. If ~~a person~~ an individual who is the subject of a ~~reported~~ significant exposure dies without an opportunity to consent to testing ~~prior to admission to, or discharge or release from, the facility that received that person,~~ collection of appropriate specimens and testing for the presence of bloodborne pathogens, including human immunodeficiency virus, hepatitis B, and hepatitis C infection must be conducted within twenty-four hours. A licensed physician with expertise in infectious diseases shall make the determination of which tests are required. Results of these tests must be provided to the physician providing care for the ~~person~~ individual who experienced the significant exposure. If a facility that received the ~~person~~ individual who died fails to test for the presence of bloodborne pathogens as required under this subsection, the facility shall provide the physician providing care for the ~~exposed emergency medical services provider, individual or health care provider, or person who rendered aid under chapter 32-03.4~~ testing results of any bloodborne pathogen present in any medical records of the dead person which are in the facility's control within twenty-four hours. If there are no testing results for bloodborne pathogens within that facility and there is reason to believe that results are available from another facility, the facility that received the person who died shall attempt to obtain testing results of bloodborne pathogens of the deceased within twenty-four hours from the facility where it is believed results exist. The test results must be provided to the physician providing care for the ~~person~~ individual who experienced the significant exposure.
6. Any testing done pursuant to subsection 3, 4, or 5 may be conducted in the most expedient manner possible. An individual who ~~has~~ had a significant exposure, upon receiving certification of the significant exposure as required by subdivision b of subsection 3 or subdivision b of subsection 4, may petition an appropriate district court for issuance of an order directing ~~the~~ another individual, patient, or provider with whom the individual had a significant exposure to have blood drawn to be tested for the presence of the human immunodeficiency virus if a previously drawn blood sample is not available for testing. Upon receiving the petition, the court may issue an order confining the ~~person test subject~~ to be tested until the hearing or an order establishing reasonable security for that person's attendance at the hearing. This order may be modified or extended if testing is ordered. The court shall hold a hearing on the petition within ~~five~~ three days of the date the court receives the petition. The record of any court hearing conducted under this subsection is confidential. The court may issue an order requiring testing under this subsection only if:
  - a. The other individual, patient, or provider has been requested to consent to testing and has refused to be tested and a sample of the ~~patient's or provider's test subject's~~ blood is not available to be used to test for the human immunodeficiency virus;
  - b. The court finds probable cause to believe that the person petitioning for the testing ~~has~~ had a significant exposure with the ~~person to be tested~~ test subject;
  - c. The petition substitutes a pseudonym for the true name of the ~~person to be tested~~ test subject;

- d. The court provides the ~~person to be tested~~ test subject with notice and reasonable opportunity to participate in the proceeding if the person is not already a party to the proceeding;
- e. The proceedings are conducted in camera unless the subject of the test agrees to a hearing in open court; and
- f. The court imposes appropriate safeguards against unauthorized disclosure which must specify the persons who have access to the information, the purposes for which the information may be used, and appropriate prohibition on future disclosure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1303: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1303 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1335: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1335 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1366: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1366 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1368: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1368 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1386: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1386 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study of bonds required by law.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE COUNCIL STUDY OF BONDS REQUIRED BY LAW.** During the 2003-04 interim, the legislative council shall consider studying North Dakota Century Code provisions requiring public officers and other individuals and entities to provide bonds, whether the state bonding fund is an appropriate entity to provide those bonds, whether private entities within the state provide bonds for public officials and other individuals and entities required to be bonded, and whether the bonds required by statute are appropriate and necessary. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly."

Renumber accordingly

**MOTION**

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

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Seventh, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, February 3, 2003, which motion prevailed.

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

**BRADLEY C. FAY, Chief Clerk**