

## JOURNAL OF THE HOUSE

## Fifty-sixth Legislative Assembly

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Bismarck, March 11, 1999

The House convened at 1:00 p.m., with Speaker Wald presiding.

The prayer was offered by Pastor Bob Nordvall, Charity Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Cleary and Schmidt.

A quorum was declared by the Speaker.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for his approval at the hour of 8:30 a.m., March 11, 1999: HB 1138, HB 1159, HB 1186, HB 1224, HB 1312, HB 1364, HB 1401.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for his filing at the hour of 8:50 a.m., March 11, 1999: HCR 3041.

**REQUEST**

**REP. BOEHM REQUESTED** that Engrossed SB 2320 be removed from the Sixth order and be debated separately, which request was granted.

**SIXTH ORDER OF BUSINESS**

**SB 2320, as engrossed: REP. PRICE (Human Services Committee) MOVED** that the amendments on HJ page 787 be adopted and then be placed on the Fourteenth order with **DO PASS**.

**REQUEST**

**REP. KERZMAN REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2320, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the amendments to Engrossed SB 2320, the roll was called and there were 29 YEAS, 68 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** DeKrey; Delmore; Devlin; Eckre; Ekstrom; Galvin; Glassheim; Hawken; Henegar; Jensen; Johnson, N.; Keiser; Kelsch, R.; Kliniske; Koppang; Maragos; Metcalf; Meyer; Mueller; Nelson; Niemeier; Nottestad; Pollert; Porter; Sveen; Thoreson, L.; Weisz; Wentz; Winrich

**NAYS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delzer; Disrud; Dorso; Drovdal; Fairfield; Froelich; Froseth; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Herbel; Hoffner; Huether; Johnson, D.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Mickelson; Monson; Nicholas; Nichols; Nowatzki; Poolman; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thorpe; Timm; Tollefson; Warner; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Schmidt

The motion to adopt the amendments to Engrossed SB 2320 failed.

**MOTION**

**REP. DORSO MOVED** that SB 2320, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

**REP. DORSO MOVED** that the amendments on the Sixth order of business to Engrossed SB 2075, SB 2101, Engrossed SB 2185, Engrossed SB 2212, Engrossed SB 2235, Engrossed SB 2253, Engrossed SB 2284, Engrossed SB 2362, Engrossed SB 2374, and Engrossed SB 2408 be adopted, which motion prevailed.

Engrossed SB 2075, SB 2101, Engrossed SB 2185, Engrossed SB 2212, Engrossed SB 2235, Engrossed SB 2253, Engrossed SB 2284, Engrossed SB 2362, Engrossed SB 2374, and Engrossed SB 2408, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. DORSO MOVED** that House Rule 337 be suspended, which motion prevailed.

**MOTION**

**REP. DORSO MOVED** that Engrossed SB 2420 be placed at the top of the calendar, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2420:** A BILL for an Act to create and enact three new sections to chapter 49-21, five new subsections to section 49-21-01, a new subsection to section 49-21-01.1, subsections 5, 6, and 7 of section 49-21-01.3, and subsections 7, 8, 9, 10, 11, 12, 13, and 14 of section 49-21-01.7 of the North Dakota Century Code, relating to telecommunications facilities, regulation of telecommunications services, telecommunications service prices, and powers of the public service commission; to amend and reenact sections 49-02-01.1, 49-21-04, 49-21-07, 49-21-08.1, and 49-21-10.2 of the North Dakota Century Code, relating to jurisdiction of the public service commission, telecommunications price schedules, discrimination, dialing parity, and telecommunications service quality rules; and to repeal section 49-21-02.1 of the North Dakota Century Code, relating to exemptions from public service commission regulation.

**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 78 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Disrud; Dorso; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hawken; Henegar; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Aarsvold; Delzer; Devlin; Eckre; Fairfield; Gorder; Gulleeson; Hanson; Herbel; Hoffner; Kelsh, S.; Koppelman; Kroeber; Lemieux; Lundgren; Niemeier; Rose; Sandvig; Thorpe

**ABSENT AND NOT VOTING:** Schmidt

Engrossed SB 2420 passed and the title was agreed to.

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**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Representative Enoch Thorsgard

**SECOND READING OF SENATE BILL**

**SB 2119:** A BILL for an Act to amend and reenact sections 35-17-08, 35-29-05, 35-30-06, 35-31-06, and subsections 5 and 11 of section 41-09-42 of the North Dakota Century Code, relating to filing fees collected by the secretary of state and county register of deeds.

**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 82 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin;

Kliniske; Koppang; Koppelman; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Wentz; Wikenheiser; Speaker Wald

**NAYS:** Boucher; DeKrey; Delzer; Fairfield; Grosz; Gulleson; Kelsh, S.; Kroeber; Lemieux; Meyer; Nichols; Warner; Weisz; Winrich

**ABSENT AND NOT VOTING:** Maragos; Schmidt

Engrossed SB 2119 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2177:** A BILL for an Act to create and enact sections 57-43.1-06.1, 57-43.1-12.1, 57-43.1-14.1, 57-43.1-14.2, 57-43.1-15.1, 57-43.1-16.1, 57-43.1-16.2, 57-43.1-45, 57-43.1-46, 57-43.1-47, 57-43.2-04.2, 57-43.2-04.3, 57-43.2-04.4, 57-43.2-07.1, 57-43.2-07.2, 57-43.2-11.1, 57-43.2-11.2, 57-43.2-14.1, 57-43.2-38, 57-43.2-39, 57-43.2-40, 57-43.3-08, 57-43.3-09, 57-43.3-10, 57-43.3-11, 57-43.3-12, 57-43.3-13, 57-43.3-14, 57-43.3-15, 57-43.3-16, 57-43.3-17, 57-43.3-18, 57-43.3-19, 57-43.3-20, 57-43.3-21, 57-43.3-22, 57-43.3-23, 57-43.3-24, 57-43.3-25, 57-43.3-26, 57-43.3-27, and 57-43.3-28 of the North Dakota Century Code, relating to the motor vehicle fuel tax, the special fuel tax, interstate motor carriers tax, and the aviation fuel tax; to amend and reenact sections 57-43.1-01, 57-43.1-02, 57-43.1-04, 57-43.1-06, 57-43.1-08, 57-43.1-11, 57-43.1-13, 57-43.1-14, 57-43.1-15, 57-43.1-16, 57-43.1-17, 57-43.1-17.1, 57-43.1-21, 57-43.1-24, 57-43.1-25, 57-43.1-26, 57-43.1-27, 57-43.1-28, 57-43.1-30, 57-43.1-32, 57-43.2-01, 57-43.2-02, 57-43.2-02.2, 57-43.2-03, 57-43.2-04.1, 57-43.2-05, 57-43.2-07, 57-43.2-08, 57-43.2-09, 57-43.2-10, 57-43.2-11, 57-43.2-14, 57-43.2-15, 57-43.2-19, 57-43.2-20, 57-43.2-21, 57-43.2-22, 57-43.3-01, 57-43.3-02, 57-43.3-03, and 57-43.3-04 of the North Dakota Century Code, relating to the motor vehicle fuel tax, the special fuel tax, and the aviation fuel tax; to repeal sections 57-43.1-18, 57-43.1-20, 57-43.1-22, 57-43.1-23, 57-43.1-31, 57-43.1-33, 57-43.1-34, 57-43.1-35, 57-43.1-36, 57-43.1-37, 57-43.1-38, 57-43.1-39, 57-43.1-40, 57-43.1-42, 57-43.1-42.1, 57-43.1-43, 57-43.2-04, 57-43.2-06, 57-43.2-12, 57-43.2-13, 57-43.2-16, 57-43.2-17, 57-43.2-18, 57-43.2-23, 57-43.2-24, 57-43.2-25, 57-43.2-26, 57-43.2-27, 57-43.2-28, 57-43.2-29, 57-43.2-30, 57-43.2-31, 57-43.2-32, 57-43.2-33, 57-43.2-35, 57-43.2-35.1, 57-43.2-36, and 57-43.3-05 of the North Dakota Century Code, relating to obsolete and redundant provisions of the motor vehicle fuel tax, the special fuel tax, importer for use tax, and the aviation fuel tax; and to provide penalties.

#### 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 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Schmidt

Engrossed SB 2177 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2213:** A BILL for an Act to amend and reenact paragraph 1 of subdivision e of subsection 2 of section 26.1-36-09 of the North Dakota Century Code, relating to group insurance coverage for licensed professional clinical counselors providing outpatient mental health treatment.

**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 78 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gorder; Grande; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rose; Sandvig; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Berg; Bernstein; Brusegaard; Delzer; Devlin; Dorso; Drovdal; Froseth; Grosz; Herbel; Kempenich; Lloyd; Monson; Nelson; Rennerfeldt; Severson; Thoreson, B.; Timm; Weisz

**ABSENT AND NOT VOTING:** Schmidt

SB 2213 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2277:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for certain building materials used in economically disadvantaged cities; 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 NOT PASS, the roll was called and there were 22 YEAS, 73 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Delmore; Ekstrom; Froelich; Glassheim; Grumbo; Gulleston; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Nichols; Niemeier; Nowatzki; Rose; Severson; Solberg; Stefonowicz; Warner

**NAYS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Sandvig; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Fairfield; Martinson; Schmidt

Engrossed SB 2277 was declared lost.

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**SECOND READING OF SENATE BILL**

**SB 2278:** A BILL for an Act to create and enact a new section to chapter 15-27.4 of the North Dakota Century Code, or in the alternative to create and enact a new section to chapter 15.1-12 of the North Dakota Century Code, relating to the use of a dissolved district's unobligated funds.

**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 17 YEAS, 78 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Ekstrom; Grumbo; Hanson; Hoffner; Kelsh, S.; Lemieux; Maragos; Metcalf; Monson; Mueller; Niemeier; Nowatzki; Rose; Solberg; Stefonowicz; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud;

Dorso; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gulleston; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Meyer; Mickelson; Nelson; Nicholas; Nichols; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Sandvig; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Fairfield; Martinson; Schmidt

Engrossed SB 2278 was declared lost.

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#### SECOND READING OF SENATE BILL

**SB 2348:** A BILL for an Act to amend and reenact section 57-39.2-04.3 of the North Dakota Century Code, relating to a sales and use tax exemption for purchases of computer and telecommunications equipment by a new primary sector business; 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 NOT PASS, the roll was called and there were 6 YEAS, 90 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Berg; Froelich; Hoffner; Kerzman; Lemieux

**NAYS:** Belter; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Martinson; Schmidt

SB 2348 was declared lost.

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#### SECOND READING OF SENATE BILL

**SB 2379:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for repair and replacement parts for machinery and equipment used for oil and gas production or exploration; 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 NOT PASS, the roll was called and there were 19 YEAS, 77 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boehm; Boucher; Byerly; Cleary; Froelich; Hawken; Hoffner; Huether; Kerzman; Lemieux; Maragos; Meyer; Nichols; Niemeier; Renner; Rennerfeldt; Rose; Sveen

**NAYS:** Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Metcalf; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Sandvig; Severson; Solberg; Stefanowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Martinson; Schmidt

Engrossed SB 2379 was declared lost.

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### SECOND READING OF SENATE BILL

**SB 2075:** A BILL for an Act to amend and reenact sections 15-36-08, 15-38-18, 15-38-18.2, and 15-41-25 of the North Dakota Century Code, relating to provisional teaching certificates, application fees, and education standards and practices board equivalency endorsements; 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, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Boehm; Carlson; Renner

**ABSENT AND NOT VOTING:** Kelsh, S.; Martinson; Schmidt; Timm

Engrossed SB 2075, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2101:** A BILL for an Act to amend and reenact subsection 2 of section 57-34-03 and section 57-34-05 of the North Dakota Century Code, relating to deposit and distribution of the telecommunications carriers tax; to provide a continuing appropriation; to provide for a transfer; to provide an effective date; 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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Martinson; Schmidt

SB 2101, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2185:** A BILL for an Act to create and enact a new section to chapter 12-56 of the North Dakota Century Code, relating to the violation by parolees and probationers of the interstate compact for out-of-state supervision; and to provide a penalty.

**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 95 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Cleary

**ABSENT AND NOT VOTING:** Martinson; Schmidt

Engrossed SB 2185, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2212:** A BILL for an Act to create and enact a new section to chapter 12.1-17 of the North Dakota Century Code, relating to injuring another while fleeing a peace officer; and to amend and reenact section 39-10-71 of the North Dakota Century Code, relating to the penalty for fleeing a peace officer.

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

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Fairfield; Kelsh, S.; Meyer; Thorpe

**ABSENT AND NOT VOTING:** Martinson; Schmidt

Engrossed SB 2212, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2235:** A BILL for an Act to create and enact a new section to chapter 15-29 of the North Dakota Century Code, or in the alternative to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to school district employees' group health plans; 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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Martinson; Schmidt

Engrossed SB 2235, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2253:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 23-07.5-05 of the North Dakota Century Code, relating to confidentiality of human immunodeficiency virus infection test results; and to amend and reenact section 23-07-02.1 and subsection 2 of section 23-07-07.5 of the North Dakota Century Code, relating to reports of human immunodeficiency virus infection.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Martinson; Schmidt

Engrossed SB 2253, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2284:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to reduction of the income tax marriage penalty; to provide an effective date; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 29 YEAS, 67 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boehm; Boucher; Brusegaard; Byerly; Cleary; DeKrey; Drovdal; Froelich; Glassheim; Gulleason; Haas; Hawken; Hoffner; Jensen; Kelsh, S.; Kempenich; Kerzman; Klein; Lemieux; Lundgren; Nelson; Nichols; Niemeier; Renner; Sandvig; Severson; Thoreson, B.; Weisz



**NAYS:** Belter; Berg; Bernstein; Brandenburg; Brekke; Carlisle; Carlson; Clark; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gunter; Hanson; Henegar; Herbel; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Martinson; Schmidt

Engrossed SB 2284, as amended, was declared lost.

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### SECOND READING OF SENATE BILL

**SB 2362:** A BILL for an Act to create and enact two new sections to chapter 12.1-16 of the North Dakota Century Code, relating to the prevention of assisted suicide.

### 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 86 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovda; Fairfield; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wikenheiser; Speaker Wald

**NAYS:** Delmore; Eckre; Ekstrom; Glassheim; Hawken; Jensen; Maragos; Sveen; Wentz; Winrich

**ABSENT AND NOT VOTING:** Martinson; Schmidt

Engrossed SB 2362, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2374:** A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to insurance coverage of foods and food products for inherited metabolic diseases; and to amend and reenact section 26.1-36-09.7 of the North Dakota Century Code, relating to removal of the sunset provision of the foods and food products for inherited metabolic diseases insurance coverage law.

### 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, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich

**NAYS:** Carlson; Delzer; Devlin; Haas; Pollert; Weisz; Speaker Wald

**ABSENT AND NOT VOTING:** Martinson; Schmidt

Engrossed SB 2374, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2408:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for employers who make a contribution to support child care or provide a child care program for children of employees; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 51 YEAS, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bernstein; Boucher; Brekke; Clark; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Grumbo; Gulleon; Haas; Hanson; Hawken; Hoffner; Huether; Jensen; Johnson, N.; Kelsh, S.; Kerzman; Koppang; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Rose; Sandvig; Severson; Solberg; Stefonowicz; Sveen; Thoreson, B.; Thorpe; Tollefson; Warner; Wentz; Winrich

**NAYS:** Belter; Berg; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Froseth; Gorder; Grande; Grosz; Gunter; Henegar; Herbel; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppelman; Lloyd; Mickelson; Monson; Nelson; Nicholas; Pollert; Porter; Price; Renner; Rennerfeldt; Svedjan; Thoreson, L.; Timm; Weisz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Martinson; Schmidt

Engrossed SB 2408, as amended, passed and the title was agreed to.

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### APPOINTMENT OF CONFERENCE COMMITTEE

**THE SPEAKER ANNOUNCED** the following appointment to a Conference Committee on SB 2229: Reps. Klein, N. Johnson, Glassheim.

#### MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

**MADAM PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1045, HB 1080, HB 1101, HB 1122, HB 1126, HB 1143, HB 1188, HB 1332, HB 1349, HB 1416, HB 1456.

#### MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

**MADAM PRESIDENT:** The House has amended and subsequently passed: SB 2159, SB 2161, SB 2294, SB 2357.

#### MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

**MADAM PRESIDENT:** The House has amended and subsequently failed to pass: SB 2200, SB 2372.

#### MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

**MADAM PRESIDENT:** The House has passed unchanged: SB 2196, SB 2215, SB 2305, SB 2306, SB 2314, SCR 4005, SCR 4015, SCR 4032, SCR 4041, SCR 4046.

### 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., Friday, March 12, 1999, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**SB 2038: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2038 was rereferred to the **Appropriations Committee**.

Page 1, line 9, replace "and" with "or converted"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2039, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2039 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2040, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2040 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2068, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2068 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "approved" with ":

- (1) Approved" and replace "a majority" with "one-third"

Page 1, line 20, after the semicolon insert "or

- (2) Approved by a majority of each participating school district's electors voting on the question at a regular school district election or at a special election called by the board;"

Page 2, line 12, remove "and"

Page 2, line 13, after "d." insert "The loan is:

- (1) Approved by one-third of the eligible electors residing in each school district participating in the consortium, as evidenced by their signatures on a petition clearly stating the purpose of the loan, the amount of the loan, and its terms of repayment, and filed with the superintendent of public instruction; or
- (2) Approved by a majority of each participating school district's electors voting on the question at a regular school district election or at a special election called by the board; and

e."

Page 2, line 15, after the period insert "The superintendent of public instruction may not approve a loan under this section if the superintendent determines that the instructional technology acquisition is not compatible with the statewide information technology plan."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2073: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2073 was placed on the Sixth order on the calendar.

Page 2, line 15, after the first "school" insert "and did not graduate from high school"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2084: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2084 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2116, as engrossed: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2116 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2121, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2121 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "a" and replace "sections" with "section"

Page 1, line 2, replace "and a" with a period

Page 1, remove lines 3 through 6

Page 1, remove lines 8 through 15

Page 1, remove the underscore under lines 18 through 22

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 8

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2126: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2126 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections" and after "1" insert "and 3"

Page 1, line 5, replace "Subsection" with "Subsections" and after "1" insert "and 3"

Page 1, line 14, after the second underscored comma insert "and" and remove ", and any other"

Page 1, remove line 15

Page 1, line 16, remove "prevention and required by the state health council"

Page 1, line 18, overstrike "superintendent of public instruction" and insert immediately thereafter "public school district in which the child resides"

Page 1, after line 18, insert:

- "3. Any minor child, through the child's parent or guardian, may submit to the institution authorities either a certificate from a licensed physician stating that the physical condition of the child is such that immunization would endanger the life or health of the child or a certificate signed by the child's parent or guardian whose religious, philosophical, or moral beliefs are opposed to such immunization. The minor child is then exempt from the provisions of this section."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2128, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2128 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "The" with "If the service takes more than an hour to provide, the"

Page 1, line 15, remove ", which must", overstrike "be a minimum of twenty-five cents and", and after "~~shall~~" insert ", which"

Page 1, line 16, after "hour" insert ", excluding the initial hour."

Page 2, line 12, after "hour" insert "per request, excluding the initial hour." and remove "and compiling"

Page 2, line 13, replace "a record" with "records", remove "or compiling", and replace the second "record" with "records"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2134: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2134 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2180: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2180 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the first comma with "and" and remove ", and 26.1-39-16.1"

Page 1, line 2, replace the second comma with "and"

Page 1, line 3, remove ", and flood insurance notices"

Page 1, line 5, remove "26.1-22-21,"

Page 1, line 9, remove "excess loss reinsurance,"

Page 3, line 23, replace "ten" with "twenty-five"

Page 3, line 26, remove the overstrike over "twenty-five" and remove "ten"

Page 3, line 27, remove the overstrike over "five" and remove "one"

Page 3, line 29, remove the overstrike over "and interest"

Page 5, remove lines 27 through 31

Page 6, remove lines 1 through 22

Page 10, remove lines 22 through 30

Page 11, remove lines 1 through 3

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2186, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2186 was placed on the Sixth order on the calendar.

Page 1, line 1, after "12.1-17" insert "and a new section to chapter 23-07"

Page 1, line 2, after "excrement" insert "and the reporting of test results for certain diseases"

Page 1, line 7, replace "a class C felony" with "an offense" and remove "knowingly"

Page 1, line 12, after "employment" insert "unless the employee does an act within the scope of employment which requires or causes the contact"

Page 1, after line 18, insert:

- "3. The offense is a class C felony if the individual knowingly causes the contact and is a class A misdemeanor if the individual recklessly causes the contact.

**SECTION 2.** A new section to chapter 23-07 of the North Dakota Century Code is created and enacted as follows:

**Report of testing result of imprisoned individuals.** Notwithstanding any other provision of law, the state department of health or any other agency shall release the results of any testing for any reportable disease performed on an individual convicted of a crime who is imprisoned if the request is made by any individual and the individual provides written proof from the administrator of the facility with control over the individual imprisoned which states that the individual has had a significant exposure as defined in section 23-07.3-01."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2199, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2199 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and"

Page 1, line 4, after "education" insert "; and to declare an emergency"

Page 2, after line 28, insert:

**"SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2204: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2204 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2210, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2210 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2223, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2223 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2225, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2225 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "fraudulent" with "unauthorized" and after "information" insert "; and to provide a penalty"

Page 1, line 6, replace "**Fraudulent**" with "**Unauthorized**"

Page 1, line 18, after the semicolon insert "or"

Page 1, line 19, replace the semicolon with a period

Page 1, remove lines 20 and 21

Page 2, remove lines 3 through 12

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2248: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2248 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2273: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2273 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new section to chapter 10-30.5 of the North Dakota"

Page 1, remove line 2

Page 1, line 10, after "community" insert "business"

Page 1, remove lines 15 through 24

Page 2, remove lines 1 and 2

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2310: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2310 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2312, as reengrossed: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2312 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2333, as reengrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2333 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "entitled to receive" with "eligible to apply for"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2435: Transportation Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2435 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2438, as engrossed: Transportation Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2438 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4024, as engrossed: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SCR 4024 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4030, as engrossed: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4030 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4043: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4043 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4047: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4047 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4050: Government and Veterans Affairs Committee (Rep. Klein, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4050 was placed on the Tenth order on the calendar.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2066 and SB 2246 and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2066:** Sens. Freborg; Cook; O'Connell

**SB 2246:** Sens. Wardner; Urlacher; Kinnoin

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2087, SB 2257, SB 2270, SB 2271, SB 2407.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1447.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1447**

Page 2, remove lines 8 through 10

Page 2, line 11, remove the overstrike over "or", remove the first underscored comma, and remove ", or 5"

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1166.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1166**

Page 1, line 4, replace the first "section" with "sections" and after "61-02-23.1" insert ", 61-24.3-19,"

Page 1, line 5, after "for" insert "the northwest area water supply project, validation of southwest pipeline project water service contracts,"

Page 1, after line 18, insert:

**"SECTION 2. AMENDMENT.** Section 61-24.3-19 of the North Dakota Century Code is amended and reenacted as follows:

**61-24.3-19. Validation of water service contracts.** Water service contracts entered into by the commission for the distribution and sale of water to water user entities from the southwest pipeline project are ~~hereby deemed~~ confirmed and approved by the legislative assembly. The commission may commence a special proceeding in and by which the proceedings of the commission and the making of water service contracts ~~shall be~~ are judicially examined, approved, and confirmed, or disapproved and disaffirmed. ~~Such~~ The proceeding ~~shall~~ must comply as nearly as possible with the procedure authorized by sections 61-07-22 through 61-07-28 for irrigation district contracts. The requirements of section 40-33-16 do not apply to contracts between the commission or the southwest water authority and cities for water service from the southwest pipeline project.

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)**

**MADAM PRESIDENT:** The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2229:** Reps. Klein; N. Johnson; Glassheim



**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bills: SB 2069, SB 2082, SB 2158, SB 2160, SB 2184, SB 2198, SB 2208, SB 2232, SB 2233, SB 2237, SB 2238, SB 2249, SB 2261, SB 2313, SB 2315, SB 2318, SB 2334, SB 2343, SB 2345, SB 2389, SB 2406.

**MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)**

**MADAM PRESIDENT:** The Speaker has signed: SB 2069, SB 2082, SB 2158, SB 2160, SB 2184, SB 2198, SB 2208, SB 2232, SB 2233, SB 2237, SB 2238, SB 2249, SB 2261, SB 2313, SB 2315, SB 2318, SB 2334, SB 2343, SB 2345, SB 2389, SB 2406.

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

**LANCE HAGEN, Chief Clerk**