

**JOURNAL OF THE HOUSE****Fifty-eighth Legislative Assembly**

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**Bismarck, February 3, 2003**

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

The prayer was offered by Sister Anna Rose Ruhland, St. Vincent's Care Center, Bismarck.

The roll was called and all members were present except Representatives Bernstein and S. Kelsh.

A quorum was declared by the Speaker.

**SPECIAL ORDER OF BUSINESS**

With the tragedy of the Columbia on the minds of all of us, we are going to take a moment to honor those seven brave explorers who chose to risk their personal safety in an endeavor for the greater good. They gave their lives in service to this country and to the world.

Laurel Clark, a mission specialist on the Columbia who would leave behind a husband and daughter and faced with the dangers involved in her job replied, "there are a lot of different things that we do in life that could potentially harm us, and I choose not to stop doing these things."

Risk is inherent in life - death is inevitable - but how we live is our choice.

Today, let us remember just how fortunate we are to have had these seven people serving our country...Seven individuals who understood that while a ship is safest in a harbor, that is not what ships are for...Seven individuals who refused to stop doing "those things" with risk.

These astronauts are examples of how we should live life. With a willingness to sacrifice, in the pursuit of knowledge, doing the things that we love.

Our prayers are with all those who mourn.

**REQUEST**

**REP. BERG REQUESTED** that the remarks of Speaker Wentz be printed in the Journal, which request was granted.

**SIXTH ORDER OF BUSINESS**

**REP. BERG MOVED** that the amendments on the Sixth order of business to HB 1037, HB 1056, HB 1137, HB 1221 and HB 1386 be adopted, which motion prevailed.

HB 1037, HB 1056, HB 1137, HB 1221 and HB 1386, as amended, were placed on the Eleventh order of business on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1092:** A BILL for an Act to create and enact a new section to chapter 11-18, a new subsection to section 23-02.1-28, and three new sections to chapter 44-04 of the North Dakota Century Code, relating to redaction of social security numbers by the county recorder, the confidentiality of social security numbers, the confidentiality of client files at the University of North Dakota school of law, and the confidentiality of records of fire department and rural fire protection districts; and to amend and reenact section 20.1-03-35, subsection 8 of section 23-02.1-19, section 23-02.1-27, subsection 6 of section 41-09-73, section 43-50-04, subsection 2 of section 44-04-18.1, subsection 6 of section 44-04-20, and subsection 1 of section 44-04-21.1 of the North Dakota Century Code, relating to confidentiality of social security numbers, notice of emergency or special meetings, and release of certain information received by the attorney general when preparing open records and meetings opinions.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; 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.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Bernstein; Kelsh, S.

Engrossed HB 1092 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1159:** A BILL for an Act to create and enact a new section to chapter 43-30 of the North Dakota Century Code, relating to unlicensed practice as a private investigative or security service; to amend and reenact sections 43-30-01, 43-30-02, 43-30-03, 43-30-10, and 43-30-12, relating to the jurisdiction of the private investigative and security board; 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 16 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Berg; Brusegaard; Carlisle; Delmore; Glassheim; Hawken; Johnson, N.; Kasper; Keiser; Maragos; Nottestad; Ruby; Severson; Tieman; Winrich; Speaker Wentz

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Boe; Boehning; Boucher; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Grande; Grosz; Gulleston; Haas; Hanson; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Kelsh, S.

Engrossed HB 1159 lost.

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### SECOND READING OF HOUSE BILL

**HB 1227:** A BILL for an Act to amend and reenact section 37-01-42 of the North Dakota Century Code, relating to honorary high school diplomas for Korean conflict veterans.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; 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.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Bernstein; Kelsh, S.

Engrossed HB 1227 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1237:** A BILL for an Act to amend and reenact sections 15.1-19-09 and 15.1-19-10 of the North Dakota Century Code, relating to the suspension and expulsion of students and school district weapons policies.

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

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

**NAYS:** Froelich; Glassheim; Kerzman; Ruby; Weisz; Winrich

**ABSENT AND NOT VOTING:** Bernstein; Kelsh, S.

Engrossed HB 1237 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1266:** A BILL for an Act to amend and reenact sections 51-07-01, 51-07-01.1, and 51-07-03 of the North Dakota Century Code, relating to contract remedies for termination of certain retail contracts; and to repeal section 51-07-02 of the North Dakota Century Code, relating to calculation of costs for merchandise of certain retail contracts.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; 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; Uglen; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Bernstein; Kelsh, S.

Engrossed HB 1266 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1283:** A BILL for an Act to create and enact a new section to chapter 43-15 of the North Dakota Century Code, relating to confidentiality of identifying information and prohibited acts by pharmacies and pharmacists.

**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; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; 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; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Bernstein; Kelsh, S.; Monson

Engrossed HB 1283 passed and the title was agreed to.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT  
CALENDAR**

**HCR 3002:** A concurrent resolution directing the Legislative Council to study the total amount of tax-exempt property by county; the loss of tax revenues from flooded property and from previously taxable property that is purchased by tax-exempt entities, including ownership in trust for Indian tribes; and the impact of the tax status of these tax-exempt properties on the ability of local communities to provide social services, including child support enforcement services.

**HCR 3003:** A concurrent resolution directing the Legislative Council to study state and local funding obligations for social services, including child support enforcement services.

**HCR 3011:** A concurrent resolution directing the Legislative Council to study the North Dakota open records statutes and the appropriateness of the penalties for an unauthorized disclosure of certain records.

**HCR 3012:** A concurrent resolution directing the Legislative Council to study the laws of this state concerning arbitration of construction issues with the Department of Transportation.

**HCR 3013:** A concurrent resolution directing the Legislative Council to study the laws of this state concerning abandonment and vacation of sections of routes of the state highway system.

**HCR 3018:** A concurrent resolution directing the Legislative Council to study the impact of high-volume grain terminals on local highway systems and possible methods of mitigating the impact.

**HCR 3020:** A concurrent resolution declaring February 10, 2003, "North Dakota Close-Up Day".

The question being on the final adoption of the resolutions, which have been read.

HCR 3002, HCR 3003, HCR 3011, HCR 3012, HCR 3013, HCR 3018, and HCR 3020 passed on a voice vote, and the titles were 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 2115, SB 2253, SB 2301, SB 2303.

**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 1089, HB 1166, HB 1189, HB 1191, HB 1195, HB 1238, HB 1254, HB 1256, HB 1259, HB 1267, HB 1276, HB 1277, HB 1320.

**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 1351.

**FIRST READING OF SENATE BILLS**

**SB 2029:** A BILL for an Act to amend and reenact section 54-03-28 of the North Dakota Century Code, relating to requirements for a legislative measure mandating health insurance coverage; and to declare an emergency.

Was read the first time and referred to the **Human Services Committee**.

**SB 2034:** A BILL for an Act to amend and reenact sections 14-17-01 and 14-17-03, subsection 1 of section 14-17-04, subsection 1 of section 14-17-05, and sections 14-17-08 and 14-17-24 of the North Dakota Century Code, relating to the Uniform Parentage Act.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2036:** A BILL for an Act to amend and reenact section 50-09-02.2 of the North Dakota Century Code, relating to eligibility for certification as a special needs adoption.

Was read the first time and referred to the **Human Services Committee**.

**SB 2038:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to the confidentiality of records containing computer passwords and security information; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2039:** A BILL for an Act to create and enact a new subdivision to subsection 11 of section 28-32-01 of the North Dakota Century Code, relating to activities of the information technology department excluded from the Administrative Agencies Practice Act.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2040:** A BILL for an Act to amend and reenact sections 15-19-01, 15-19-02, 15-19-04, and 15-19-06 of the North Dakota Century Code, relating to the division of independent study.

Was read the first time and referred to the **Education Committee**.

**SB 2042:** A BILL for an Act to amend and reenact section 49-21-01.1 of the North Dakota Century Code, relating to exceptions from the definition of telecommunications service.

Was read the first time and referred to the **Education Committee**.

**SB 2043:** A BILL for an Act to designate the offices responsible for restitution collection and enforcement activities.

Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2045:** A BILL for an Act to amend and reenact sections 25-03.1-11 and 25-03.1-19 and subsection 2 of section 25-03.1-26 of the North Dakota Century Code, relating to involuntary treatment and commitment procedures.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2046:** A BILL for an Act to amend and reenact sections 4-30-48 and 6-03-13.6, subdivision b of subsection 3 of section 10-06.1-17, subsection 2 of section 10-19.1-146, subsection 21 of section 11-11-14, sections 11-28.2-01 and 12.1-12-02, subsection 5 of section 14-09-08.4, sections 14-09-08.13 and 14-09-08.14, subdivision e of subsection 5 of section 19-03.1-36, sections 20.1-02-05.1, 20.1-04-12.1, 20.1-08-04.6, 20.1-13-08, 20.1-13.1-09, 20.1-15-09, and 20.1-15-10, subsection 7 of section 21-03-07, section 23-02.1-16, subsection 6 of section 26.1-05-19, subsection 9 of section 26.1-06.1-02, subsection 4 of section 26.1-17-01, sections 26.1-26-31.8 and 26.1-36.5-01, subdivision e of subsection 4 of section 26.1-38.1-01, subsection 1 of section 29-06-15, subsection 9 of section 32-03.2-11, section 38-08-09.9, subsection 7 of section 40-63-07, subdivision e of subsection 1 of section 41-09-02, subsection 4 of section 43-17-07.1, subsection 2 of section 44-04-18, section 49-01-02, subsection 5 of section 54-52.1-01, and subsection 2 of section 57-02-26 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2047:** A BILL for an Act relating to trusts for individuals with disabilities.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2050:** A BILL for an Act to create and enact a new section to chapter 54-07 of the North Dakota Century Code, relating to the duties of the governor; and to declare an emergency.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2051:** A BILL for an Act to amend and reenact section 54-03.1-03 of the North Dakota Century Code, relating to the agenda of the organizational session.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2053:** A BILL for an Act to amend and reenact sections 40-22-10 and 40-22-29 of the North Dakota Century Code, relating to cost estimates for improvements by special assessments; and to provide an effective date.

Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2056:** A BILL for an Act to amend and reenact section 11-28-02 of the North Dakota Century Code, relating to the term of office of members appointed to serve on a board of county park commissioners.

Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2057:** A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to the purchase of service credit by employers under the teachers' fund for retirement; and to amend and reenact subsection 9 of section 15-39.1-04, sections 15-39.1-10.3, 15-39.1-10.6, 15-39.1-15, 15-39.1-16, 15-39.1-18, 15-39.1-19.1, and 15-39.1-20, and subsection 11 of section 15-39.1-24 of the North Dakota Century Code, relating to definition of salary, dual membership, benefit limitations, withdrawal, benefit options, disability retirement, discontinuance of retirement benefits, and acceptance of rollovers under the teacher's fund for retirement.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2058:** A BILL for an Act to create and enact sections 54-52-02.11 and 54-52-02.12, a new subsection to section 54-52-17.4, two new sections to chapter 54-52, three new subsections to section 54-52-26, section 54-52.2-03.3, and two new sections to chapter 54-52.6 of the North Dakota Century Code, relating to participation, service credit purchases, confidentiality under the public employees retirement system, contributions to a defined contribution plan account, qualified domestic relations order applicability to the deferred compensation program, and compliance with the Internal Revenue Code; to amend and reenact section 28-22-19, subsections 3, 7, 10, and 14 of section 54-52-01, sections 54-52-02 and 54-52-02.5, subsection 3 of section 54-52-05, sections 54-52-17, 54-52-17.2, 54-52-17.4, and 54-52-27, subsection 1 of section 54-52.1-03.3, section 54-52.2-06, and subsection 4 of section 54-52.6-13 of the North Dakota Century Code, relating to exemptions from legal process, definitions, membership, contributions, benefits, service credit, conversion of sick leave, and retiree health benefits under the public employees retirement system and account refunds for members of the defined contribution retirement system; and to repeal section 54-52-17.8 of the North Dakota Century Code, relating to benefit limitations under the public employees retirement system.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2059:** A BILL for an Act to create and enact two new sections to chapter 39-03.1 of the North Dakota Century Code, relating to Internal Revenue Code compliance and employer service purchases under the highway patrolmen's retirement system; to amend and reenact section 39-03.1-08.2, subsection 2 of section 39-03.1-09, and sections 39-03.1-14.1 and 39-03.1-28 of the North Dakota Century Code, relating to the purchase of additional service credit, employer payment of employee contributions multiple plan membership, and confidentiality requirements under the highway patrolmen's retirement system; and to repeal section 39-03.1-11.1 of the North Dakota Century Code, relating to benefit limitations under the highway patrolmen's retirement system.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2061:** A BILL for an Act to adopt the Uniform Arbitration Act; and to repeal chapter 32-29.2 of the North Dakota Century Code, relating to the Uniform Arbitration Act.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2062:** A BILL for an Act to amend and reenact sections 30.1-10.1-01, 30.1-10.1-02, 30.1-10.1-03, 30.1-10.1-04, 30.1-10.1-05, 30.1-10.1-06, 30.1-10.1-07, 30.1-10.1-08, 30.1-10.1-09, 30.1-10.1-10, and 30.1-10.1-12 of the North Dakota Century Code, relating to technical corrections in and under signatures under the Uniform Disclaimer of Property Interests Act.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2064:** A BILL for an Act to amend and reenact section 54-23.2-09 of the North Dakota Century Code, relating to state radio communications collection of 911 service fees for wireless access lines; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2066:** A BILL for an Act to repeal section 15.1-03-02 of the North Dakota Century Code, relating to the revolving school district equipment and software fund.

Was read the first time and referred to the **Education Committee**.

**SB 2067:** A BILL for an Act to amend and reenact section 14-02.4-19 of the North Dakota Century Code, relating to the time limitations for filing human rights complaints in district court.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2068:** A BILL for an Act to amend and reenact section 50-24.1-06 of the North Dakota Century Code, relating to remedial eye care services coverage.

Was read the first time and referred to the **Human Services Committee**.

**SB 2069:** A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century Code, relating to the provision of treatment services for children with serious emotional disorders.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2071:** A BILL for an Act to amend and reenact section 50-24.1-07 of the North Dakota Century Code, relating to the state's preferred claim against the estate of a medical assistance recipient or the estate of the spouse of a medical assistance recipient; and to provide an effective date.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2072:** A BILL for an Act to create and enact a new section to chapter 54-09 of the North Dakota Century Code, relating to fees to be paid to the secretary of state by government officials when performing their duties; and to amend and reenact sections 54-09-04 and 54-09-07 of the North Dakota Century Code, relating to fees charged by and service of process on the secretary of state.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2073:** A BILL for an Act to amend and reenact subsection 8 of section 45-10.1-01 and subsection 1 of section 45-10.1-52 of the North Dakota Century Code, relating to registration of foreign limited partnerships; to provide for retroactive application; and to declare an emergency.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2075:** A BILL for an Act to amend and reenact subsection 5 of section 54-44-04.6 of the North Dakota Century Code, relating to the distribution of proceeds from the sale of surplus property.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2078:** A BILL for an Act to amend and reenact subsection 1 of section 44-08-04.2 and sections 44-08-04.5, 44-08-05.1, and 54-06-06 of the North Dakota Century Code, relating to travel advances, direct payment of lodging expenses, payment approval requirements, and periodic salary payments for state employees; and to repeal sections 44-08-08 and 54-06-16 of the North Dakota Century Code, relating to per diem oath and penalty and minimum wage for state employees.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2079:** A BILL for an Act to amend and reenact subsection 4 of section 34-13-01, sections 34-13-03 and 34-13-12, subsection 2 of section 34-13-13.1, and subsection 1 of section 34-13-15 of the North Dakota Century Code, relating to definition of employment agent or employment agency and licensure of employment agencies.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2080:** A BILL for an Act to amend and reenact sections 39-24-09 and 39-24-11 of the North Dakota Century Code, relating to snowmobile operation within the right of way of an interstate highway; to provide a penalty; and to declare an emergency.

Was read the first time and referred to the **Transportation Committee**.

**SB 2082:** A BILL for an Act to amend and reenact subsections 5, 6, 11, 28, and 29 of section 4-35-05, sections 4-35-09, 4-35-16, 4-35-17, and 4-35-18, and subsection 4 of section 4-35-23 of the North Dakota Century Code, relating to the North Dakota pesticide act.

Was read the first time and referred to the **Agriculture Committee**.

**SB 2084:** A BILL for an Act to amend and reenact sections 10-04-02 and 10-04-03, subsections 3, 5, and 12 of section 10-04-05, section 10-04-06, subsection 3 of section 10-04-07, subsections 2 and 3 of section 10-04-07.1, sections 10-04-08 and 10-04-10, subsection 4 of section 10-04-10.3, subsection 1 of section 10-04-11, sections 10-04-14 and 10-04-16, subsection 1 of section 10-04-16.1, subsection 3 of section 10-04-17, and subsection 1 of section 10-04-18 of the North Dakota Century Code, relating to definitions under the Securities Act, the authority of the securities commissioner and the securities department, securities exemptions, exempt transactions, registration of securities, registration of dealers, agents, investment advisors and investment advisor representatives, post-registration requirements, consent to service of process, orders and injunctions, investigations by the securities department, rescission, and penalties; to repeal section 10-04-10.2 of the North Dakota Century Code, relating to eligibility to be registered under the Securities Act; to provide a penalty; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2091:** A BILL for an Act to amend and reenact sections 57-38-11, 57-38-14, and 57-38-30 of the North Dakota Century Code, relating to obsolete corporate income tax provisions; and to repeal sections 57-38-12 and 57-38-13 of the North Dakota Century Code, relating to obsolete corporate income tax provisions.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2092:** A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 28-32-01, section 50-06.1-16, subsection 1 of section 52-02-06, sections 54-06-25, 54-23.3-05, 54-23.3-06, 54-44.3-01, 54-44.3-02, 54-44.3-11, and 54-44.3-30, subsection 3 of section 54-52.6-01, and subsection 5 of section 54-57-01 of the North Dakota Century Code, relating to changing the name of the central personnel division to North Dakota human resource management services and revising references to the central personnel system.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2093:** A BILL for an Act to amend and reenact section 30.1-20-14 of the North Dakota Century Code, relating to the disposition of unclaimed assets in probate.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2094:** A BILL for an Act to amend and reenact section 15-03-04 of the North Dakota Century Code, relating to authority to pledge securities for securities lending transactions by the board of university and school lands.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2098:** A BILL for an Act to create and enact a new subdivision to subsection 5 of section 57-38-30.3 of the North Dakota Century Code, relating to requirements for claiming a credit for income tax paid to another state; to amend and reenact subsections 2 and 6 of section 57-38-04 of the North Dakota Century Code, relating to requirements for claiming a credit for income tax paid to another state; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2099:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the authority of the tax commissioner to provide for the rounding of dollar amounts on income tax returns, statements, forms, or other documents.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2100:** A BILL for an Act to amend and reenact subsection 9 of section 57-38-38 of the North Dakota Century Code, relating to the time period for the assessment of additional income tax; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2101:** A BILL for an Act to amend and reenact subdivisions a and b of subsection 11 of section 57-38-30.3 of the North Dakota Century Code, relating to income averaging for farmers for income tax purposes.

Was read the first time and referred to the **Finance and Taxation Committee**.

**SB 2102:** A BILL for an Act to amend and reenact subsection 2 of section 57-39.2-03.7 of the North Dakota Century Code, relating to the surcharge on rental motor vehicles.

Was read the first time and referred to the **Finance and Taxation Committee**.



**SB 2103:** A BILL for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to fees for services provided by the state fire marshal; and to provide a continuing appropriation.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2104:** A BILL for an Act to amend and reenact subsection 2 of section 11-33-18 of the North Dakota Century Code, relating to determinations of significant impact on transportation structures.

Was read the first time and referred to the **Transportation Committee**.

**SB 2105:** A BILL for an Act to amend and reenact subsection 1 of section 39-05-09.2 of the North Dakota Century Code, relating to grounds for suspension or revocation of a motor vehicle certificate of title.

Was read the first time and referred to the **Transportation Committee**.

**SB 2106:** A BILL for an Act to amend and reenact section 54-06-14 of the North Dakota Century Code, relating to payment of sick leave upon termination.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2107:** A BILL for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to confidentiality of central personnel division mediation service records.

Was read the first time and referred to the **Judiciary Committee**.

**SB 2108:** A BILL for an Act to amend and reenact subsection 2 of section 54-06-25 of the North Dakota Century Code, relating to filling state employees compensation commission vacancies.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2109:** A BILL for an Act to repeal section 52-08-12 of the North Dakota Century Code, relating to distribution of workforce training funds by the state board for vocational and technical education to state board of higher education institutions.

Was read the first time and referred to the **Education Committee**.

**SB 2110:** A BILL for an Act to amend and reenact sections 19-20.1-03, 19-20.1-03.1 and 19-20.1-06 of the North Dakota Century Code, relating to registration and inspection fees of fertilizer and soil conditioners.

Was read the first time and referred to the **Agriculture Committee**.

**SB 2114:** A BILL for an Act to amend and reenact section 51-05.1-01.1 of the North Dakota Century Code, relating to auctioneer and auction clerk license fees.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2118:** A BILL for an Act to amend and reenact sections 1-02-35, 54-11-01, and 54-11-04 of the North Dakota Century Code, relating to warrants, duties, and records of the state treasurer; and to repeal section 54-11-03 of the North Dakota Century Code, relating to the redemption of warrants by the state treasurer.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2119:** A BILL for an Act to amend and reenact subsection 1 of section 15-62.3-01 of the North Dakota Century Code, relating to the tuition assistance grant program.

Was read the first time and referred to the **Education Committee**.

**SB 2120:** A BILL for an Act to amend and reenact section 26.1-36.3-01 and subsection 2 of section 26.1-36.3-04 of the North Dakota Century Code, relating to the small employer carrier health reinsurance program; and to repeal sections 26.1-36.3-07 and 26.1-36.3-09 of the North Dakota Century Code, relating to the small employer carrier health reinsurance program.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

#### REPORT OF STANDING COMMITTEE

**HB 1026: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1026 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1049: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1049 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1100: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1100 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "54-10-26,"

Page 1, line 2, remove "and working papers"

Page 1, remove lines 11 through 23

Page 2, remove lines 1 and 2

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1111: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1111 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1114: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1114 was placed on the Sixth order on the calendar.

Page 2, line 16, after the period insert "Alternatively, if the test results indicate an alcohol concentration at or above the legal limit, the law enforcement agency making the arrest may mail a temporary operator's permit to the person who submitted to the blood, urine, or saliva test. The third day after the mailing of the temporary operator's permit is considered the date of issuance. Within three days after the person receives the temporary operator's permit, the person shall mail the person's North Dakota operator's license to the law enforcement agency that made the arrest."

Page 2, line 18, remove "At the time of the test, the law enforcement officer may"

Page 2, remove lines 19 through 22

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1145: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1145 was placed on the Sixth order on the calendar.

Page 1, line 3, after "wells" insert "; and to provide an expiration date"

Page 1, line 18, replace "the effective date of this Act" with "June 30, 2003,"

Page 1, after line 21, insert:

**"SECTION 3. EXPIRATION DATE.** This Act is effective for gas wells completed or recompleted through June 30, 2007, and is thereafter ineffective."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1147: Natural Resources Committee (Rep. DeKrey, Chairman)** recommends **DO NOT PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1147 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1192: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1192 was placed on the Sixth order on the calendar.

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

Page 1, line 7, after the third comma insert "horses,"

Page 1, line 8, overstrike "winner of" and insert immediately thereafter "person who wins"

Page 1, line 10, overstrike "amount" and insert immediately thereafter "market value", overstrike "cash prize", after "~~which~~" insert "animal", and replace "The cash prize, as determined by the owner," with "If the person who wins the animal desires a cash prize instead of the animal, the organization shall pay the player a cash prize that"

Page 1, line 11, overstrike "be equivalent to" and insert immediately thereafter "equal" and after "~~the~~" insert "market"

Page 1, line 12, after "maximum" insert "single" and replace "value" with "amount allowed"

Page 1, after line 12, insert:

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

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1213: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1213 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1216: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1216 was placed on the Sixth order on the calendar.

Page 1, line 9, after "dollars" insert "for each five thousand dollars of coverage"

Page 1, line 15, overstrike "limited to" and remove the overstrike over "~~five~~" and insert immediately thereafter "thousand dollars, ten thousand dollars, or"

Page 1, line 16, after "year" insert "as determined by the county auditor"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1220: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1220 was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "~~class A misdemeanor for a first offense and a~~"

Page 1, line 11, remove the overstrike over "~~for a subsequent offense within three years~~" and after the period insert "An individual who violates this section while fleeing after or in the commission of a felony is guilty of a class C felony."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1223: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1223 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "begins" with "may not open earlier than"

Page 1, line 8, replace "Saturday immediately following the opening of duck season" with "first Saturday of October of any given year"

Renumber accordingly

## REPORT OF STANDING COMMITTEE

**HB 1250: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1250 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subsection to section 16.1-11-18 of the North Dakota Century Code, relating to filling a vacancy in a nomination for a party office; and to", replace "sections" with "section", and remove "and 44-02-02"

Page 1, line 2, replace "and resignation of a member of" with a period

Page 1, remove line 3

Page 1, after line 4, insert:

**"SECTION 1.** A new subsection to section 16.1-11-18 of the North Dakota Century Code is created and enacted as follows:

A vacancy in a nomination after a primary election may not be filled under subsection 4 or 5 unless the individual nominated:

- a. Dies;
- b. Would be unable to serve, if elected, as a result of a debilitating illness;
- c. Ceases to be a resident of the state or an individual nominated for legislative office will not be a resident of the legislative district at the time of the election; or
- d. Ceases to be qualified to serve, if elected, as otherwise provided by law."

Page 1, line 7, remove "- Special"

Page 1, line 8, remove "election to fill" and after the boldfaced period insert:

**"1."**

Page 1, line 10, remove the overstrike over "~~chairman of the legislative council~~" and remove "governor"

Page 1, line 11, remove the overstrike over "~~chairman of the legislative council~~" and remove "governor"

Page 1, line 13, remove the overstrike over "~~chairman of the legislative council shall notify the district committee of the~~"

Page 1, remove the overstrike over lines 14 through 21

Page 1, line 22, remove the overstrike over "~~next general election to serve for the remainder of the term of office for that office~~" and remove "governor, if"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 6

Page 2, line 7, remove "fill the vacancy" and after the period insert:

"2. A district committee or the chairman of the legislative council making an appointment under this section shall notify the secretary of state of the appointment. Upon notification of an appointment, the secretary of state shall issue the individual appointed a certificate of appointment and oath of office to complete and file with the secretary of state."

Page 2, remove lines 8 through 30

Page 3, remove lines 1 and 2

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1258: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1258 was placed on the Sixth order on the calendar.

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

Page 2, after line 22, insert:

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

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1270: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1270 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1305: 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 1305 was placed on the Sixth order on the calendar.

Page 1, line 18, after "meeting" insert "does not hold substantive discussions on matters of its public business at that meeting; and records the meeting electronically or on audiotape or videotape. This recording is a public record and must be retained for at least one hundred twenty days. For purposes of this subsection, the jurisdiction includes any of the public entities that enter a cooperative agreement to share personnel or other services"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1311: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1311 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1330: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1330 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1333: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1333 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 subsection 3 of section 54-35.2-02 and section 54-35.2-05 of the North Dakota Century Code, relating to the advisory commission on intergovernmental relations.

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

**SECTION 1. AMENDMENT.** Subsection 3 of section 54-35.2-02 of the North Dakota Century Code is amended and reenacted as follows:

3. Present reports and ~~recommended legislative bills~~ recommendations to the legislative council for consideration in the same manner as interim legislative council committees.

**SECTION 2. AMENDMENT.** Section 54-35.2-05 of the North Dakota Century Code is amended and reenacted as follows:

**54-35.2-05. Reports.** The advisory commission on intergovernmental relations shall report its findings and recommendations ~~and any proposed legislation necessary to implement the recommendations~~ to the legislative council at the time and in the manner reports are made by interim committees of the legislative council. The legislative council may accept, reject, or amend the report of the advisory commission on intergovernmental relations. The legislative council shall include the report, or any portion of it, as accepted, rejected, or amended, in the council's final report. Copies of the report of the advisory commission on intergovernmental relations, as accepted, rejected, or amended by the legislative council, must be available to counties, cities, townships, appropriate state departments and agencies, and the public."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1343: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1343 was placed on the Sixth order on the calendar.

Page 1, line 14, remove "and for an animal less than one year of age, the civil penalty for the replacement value"

Page 1, line 15, remove "of the animal is reduced by fifty percent"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1346: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1346 was placed on the Sixth order on the calendar.

Page 1, line 9, after "only" insert ", except for those vehicles for which a completed federal heavy highway use tax form is required" and replace "for which no" with "which are driven"

Page 1, line 10, replace "are driven" with "per year"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1363: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1363 was placed on the Sixth order on the calendar.

Page 1, line 9, after "motion" insert ", in whole or in part,"

Page 1, line 10, remove the overstrike over "~~seven~~" and remove "five"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1372: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1372 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "; and to amend and reenact section 49-11-19 of the North Dakota Century Code," with a period

Page 1, remove line 4

Page 1, remove lines 6 through 21

Page 2, remove the underscore under lines 1 through 4

Page 2, line 5, remove the underscore under "local", replace "911" with "emergency services communication system", and remove the underscore under "or state radio dispatcher. The manager shall provide local emergency personnel with"

Page 2, remove the underscore under line 6

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1378: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1378 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "**Energy and environmental research center -**"

Page 1, line 5, replace "energy and environmental research center at the university of North Dakota" with "state board of higher education"

Page 1, line 6, after "shall" insert "require an institution under the board's jurisdiction to conduct a" and after "study" insert "of"

Page 1, line 7, replace "energy and environmental" with "institution selected by the board"

Page 1, line 8, remove "research center"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1380: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1380 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1391: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1391 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 20.1-03-12 of the North Dakota Century Code, relating to big game hunting license fees.

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

**SECTION 1. AMENDMENT.** Section 20.1-03-12 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-03-12. Schedule of fees for licenses and permits.** The various license and permit fees are as follows:

1. For a resident, age sixteen and over, small game hunting license, six dollars.
2. For a nonresident small game hunting license, seventy-five dollars.
3. For a resident big game hunting license, ~~twenty~~twenty-five dollars, except the fee for a licensee under age sixteen is ~~ten~~ fifteen dollars, except as provided in a gubernatorial proclamation issued pursuant to section 20.1-08-04.1.
4. For a nonresident big game hunting license, one hundred ~~fifty-five~~ sixty dollars, and for a nonresident bow license, one hundred ~~fifty-five~~ sixty dollars, and a nonrefundable five dollar application fee must accompany any lottery license fee under this subsection, except as provided in a gubernatorial proclamation issued pursuant to section 20.1-08-04.1.
5. For a resident fur-bearer license, seven dollars.

6. For a resident fishing license, ten dollars, except that for a resident sixty-five years or over or a resident totally or permanently disabled, the license fee is three dollars.
7. For a nonresident fishing license, twenty-five dollars.
8. For a nonresident short-term seven-day fishing license, fifteen dollars.
9. For a resident husband and wife fishing license, fourteen dollars.
10. For a nonresident nongame hunting license, fifteen dollars.
11. For a wild turkey permit, eight dollars.
12. For an annual general game license, three dollars.
13. For a permit to propagate, domesticate, or possess protected wildlife, five dollars.
14. For a license to a nonresident buyer or shipper of green furs, or that person's agent, the amount that the nonresident buyer or shipper of green furs would pay for a nonresident buyer or shipper of green furs license or comparable license in that person's state of residence, or fifty dollars, whichever is greater.
15. For a license to a resident buyer or shipper of green furs, eight dollars for each place of business maintained by that person within this state.
16. For a license to a resident traveling agent, buyer, or shipper of green furs, twenty dollars.
17. For an annual license to practice taxidermy, twenty-five dollars.
18. For a permit to ship, by a person having a resident hunting license, during the respective open seasons, not to exceed in any one season twenty-five game birds, to points within this state other than that person's home or to points outside this state, three dollars.
19. For a permit to make collections of protected birds and animals for scientific purposes, ten dollars.
20. For a motorboat certificate of number and license: Each motorboat under sixteen feet [4.88 meters] in length, and all canoes, regardless of length, powered by a motor, twelve dollars. Each motorboat sixteen feet [4.88 meters] in length and over but shorter than twenty feet [6.1 meters] in length, excluding canoes, twenty-four dollars. Each motorboat twenty feet [6.1 meters] in length or over excluding canoes, thirty-three dollars.
21. To operate watercraft used for hire, the following license fees apply for three years:
  - Class 1. Each craft capable of carrying two adults of average weight, six dollars.
  - Class 2. Each craft capable of carrying three adults of average weight, six dollars.
  - Class 3. Each craft capable of carrying four adults of average weight, six dollars.
  - Class 4. Each craft capable of carrying five adults of average weight, six dollars.
  - Class 5. Each craft capable of carrying up to eight adults of average weight, nine dollars.
  - Class 6. Each craft capable of carrying up to ten adults of average weight, twelve dollars.
  - Class 7. Each craft capable of carrying up to fifteen adults of average weight, twenty-four dollars.
  - Class 8. Each craft capable of carrying sixteen or more adults of average weight, thirty dollars.



22. For the taking of undesirable fish from the waters of this state pursuant to section 20.1-06-05, fifteen dollars for each hoop-net or trap, and fifteen dollars for each seine of fifty feet [15.24 meters] or any fraction thereof.
23. For a license to erect, have, and maintain on the ice in this state a fishhouse used or to be used to protect one while ice fishing or a dark house used or to be used for spearfishing, ten dollars for each unit.
24. For a resident paddlefish tag annual license, three dollars per tag.
25. For a nonresident paddlefish tag annual license, seven dollars and fifty cents per tag.
26. For an annual resident license to sell minnows or other live bait at wholesale, thirty dollars.
27. For an annual license to sell minnows or other live bait at retail, fifteen dollars, except the fee is seventy-five dollars if white suckers are sold.
28. For an annual license to operate a private fish hatchery, seventy-five dollars.
29. For a resident commercial frog license, fifty dollars.
30. For a nonresident commercial frog license, two hundred dollars.
31. For a resident frog license, three dollars.
32. For a resident husband and wife frog license, five dollars.
33. For a shooting preserve operating permit:
  - a. One hundred dollars, if the shooting preserve consists of an area of six hundred forty acres [259 hectares] or less; or
  - b. One hundred dollars, if the shooting preserve consists of an area of more than six hundred forty acres [259 hectares], plus fifty cents per acre [.40 hectare] for each acre [.40 hectare] over six hundred forty acres [259 hectares].
34. For an annual license to guide for both hunting and fishing, one hundred fifty dollars.
35. For an annual license to guide only for hunting, one hundred dollars.
36. For an annual license to guide only for fishing, one hundred dollars.
37. For a nonresident waterfowl hunting license, ten dollars.
38. For a nonresident husband and wife fishing license, thirty-five dollars.
39. For a nonresident short-term three-day fishing license, ten dollars.
40. For a nonresident fur-bearer and nongame hunting license, twenty-five dollars.
41. For a combination license, twenty-seven dollars.
42. For a white-tailed deer license sold to certified guides or outfitters and provided by them to nonresidents, two hundred fifty dollars.
43. For a resident swan license, five dollars.
44. For a nonresident swan license, twenty-five dollars.
45. For a resident and nonresident sandhill crane license, five dollars.
46. For a resident commercial clam license, one hundred dollars.
47. For a nonresident commercial clam license, one thousand dollars.

48. For a commercial clam dealer's permit, two thousand dollars. In addition, the applicant shall submit to the director a surety bond in the sum of two thousand dollars.
49. For an annual nonresident license to sell minnows or other live bait at wholesale, two hundred dollars.
50. For a bighorn sheep license issued to a nonresident, five hundred dollars.
51. For a nonresident reciprocal trapping license, two hundred fifty dollars.
52. For a nonresident spring white goose license, fifty dollars.
53. For a resident certificate fee, one dollar, and for a nonresident certificate fee, two dollars. An agent may not charge a service fee for issuing a resident or nonresident certificate fee.

The fees for these licenses and permits, except for motorboat license fees, must be deposited with the state treasurer and credited to the game and fish fund. Five dollars of each resident big game hunting license fee and five dollars of each nonresident big game hunting license fee must be used for the private land open to sportsmen program."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1394: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1394 was placed on the Sixth order on the calendar.

Page 3, line 6, after "guilty" insert "of"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1406: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1406 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1444: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1444 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 subsection 2 of section 54-59-17 of the North Dakota Century Code, relating to the membership of the educational technology council.

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

**SECTION 1. AMENDMENT.** Subsection 2 of section 54-59-17 of the North Dakota Century Code is amended and reenacted as follows:

2. The educational technology council consists of:
  - a. The chief information officer.
  - b. The superintendent of public instruction or the superintendent's designee.
  - c. The commissioner of higher education or the commissioner's designee.
  - d. A representative appointed by the state board for vocational and technical education.

- e. A representative appointed by the governor from a list of three nominees submitted by the North Dakota association of technology leaders.
- f. A representative appointed by the governor from a list of three nominees submitted by the North Dakota council of educational leaders.
- g. A representative appointed by the governor from a list of three nominees submitted by the North Dakota school boards association.
- h. A representative appointed by the governor from a list of three nominees submitted by the North Dakota association of special education directors.
- i. ~~Two representatives of school districts, one of which~~ A school district representative who is appointed by the governor and who represents a school district that has an enrollment in kindergarten through grade twelve of fewer than four hundred, appointed by the governor.
- j. A school district representative who is appointed by the governor, who is licensed to teach by the educational standards and practices board, and who is employed by a public school district in this state as a classroom teacher.
- k. The director of technology for the department of public instruction.
- ~~k.~~ l. A representative appointed by the governor from a list of three nominees submitted by the state association of non public schools."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1481: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1481 was placed on the Eleventh order on the calendar.

#### MOTION

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

#### MOTION

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, February 4, 2003, which motion prevailed.

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

**BRADLEY C. FAY, Chief Clerk**

