

JOURNAL OF THE HOUSE

Fifty-seventh Legislative Assembly

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Bismarck, January 23, 2001

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

The prayer was offered by Pastor John Luhmann, Bismarck Evangelical Church, Bismarck.

The roll was called and all members were present except Representatives Gunter and Nicholas.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to HB 1028, HB 1030, HB 1067, HB 1091, HB 1118, HB 1133, HB 1143, HB 1166, HB 1171, HB 1175, HB 1181, HB 1189, and HB 1195 be adopted, which motion prevailed.

HB 1028, HB 1030, HB 1067, HB 1091, HB 1118, HB 1133, HB 1143, HB 1166, HB 1171, HB 1175, HB 1181, HB 1189, and HB 1195, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REQUEST

REP. KASPER REQUESTED the unanimous consent of the House to withdraw HB 1311. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILL

HB 1178: A BILL for an Act to amend and reenact subsections 2 and 3 of section 47-22-06.1, subsection 5 of section 47-22-08, subsections 2 and 3 of section 47-25-06.1, and subsection 4 of section 47-25-07 of the North Dakota Century Code, relating to name changes of registrants and cancellations of trademarks and trade names filed with the secretary of state.

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, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Gunter; Nicholas

HB 1178, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1194: A BILL for an Act to create and enact a new section to chapter 35-03 of the North Dakota Century Code, relating to a certificate of release for a mortgage.

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

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

ABSENT AND NOT VOTING: Gunter; Nicholas

HB 1194, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1100: A BILL for an Act to create and enact a new section to chapter 54-52.6 of the North Dakota Century Code, relating to the acceptance of rollover contributions under the defined contribution retirement plan; and to amend and reenact sections 54-52.6-02, 54-52.6-03, 54-52.6-13, and 54-52.6-14 of the North Dakota Century Code, relating to participation, calculation of interest on transferred amounts, distribution options, and disability benefits under the defined contribution retirement plan.

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, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Gunter; Nicholas

HB 1100, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1119: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to establishing a state employee performance bonus program; 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 PASS, the roll was called and there were 88 YEAS, 8 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Cleary; Delmore; Hanson; Kroeber; Onstad; Schmidt; Thorpe; Warner

ABSENT AND NOT VOTING: Gunter; Nicholas

HB 1119, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1120: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to pilot programs for recruiting and retaining state employees in hard-to-fill occupations; to provide an expiration 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 91 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Boehm; Byerly; Delzer; Skarphol; Winrich

ABSENT AND NOT VOTING: Gunter; Nicholas

HB 1120, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1148: A BILL for an Act to amend and reenact section 44-08-05.1, subsection 8 of section 54-44.4-02, and section 54-44.4-04 of the North Dakota Century Code, relating to approval of vouchers for state purchases made using a purchasing card and required use of purchasing cards for state purchases costing less than a designated amount.

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

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

ABSENT AND NOT VOTING: Nicholas

HB 1148, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1184: A BILL for an Act to amend and reenact subsection 2 of section 39-04-36 of the North Dakota Century Code, relating to license fee credits.

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

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

ABSENT AND NOT VOTING: Nicholas

HB 1184, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1191: A BILL for an Act to create and enact a new section to chapter 39-06.1 of the North Dakota Century Code, relating to the disposition of traffic offenses for diplomats.

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, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Nicholas

HB 1191 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1192: A BILL for an Act to amend and reenact sections 35-33-05 and 35-33-06 of the North Dakota Century Code, relating to self-service storage facility liens.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 69 YEAS, 28 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Eckre; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Kretschmar; Maragos; Martinson; Meier; Nelson; Niemeier; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig;

Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Speaker Bernstein

NAYS: Aarsvold; Boehm; Boucher; Cleary; Drovdal; Ekstrom; Fairfield; Gulleon; Hanson; Kelsh, S.; Kempenich; Kerzman; Koppelman; Kroeber; Lemieux; Lloyd; Mahoney; Metcalf; Monson; Mueller; Onstad; Renner; Schmidt; Solberg; Thorpe; Warner; Winrich; Wrangham

ABSENT AND NOT VOTING: Nicholas

HB 1192 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1029: A BILL for an Act to amend and reenact subsection 1 of section 28-32-03 of the North Dakota Century Code or in the alternative to amend and reenact subsection 1 of section 28-32-15 of the North Dakota Century Code, relating to filing of comments on rules with rules filed for publication in the North Dakota Administrative Code; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Nicholas

HB 1029 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1056: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to audits of regional planning councils by the state auditor.

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 37 YEAS, 60 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Belter; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; DeKrey; Delzer; Dosch; Eckre; Froseth; Galvin; Grande; Grosz; Haas; Kasper; Klein, F.; Koppang; Lloyd; Meier; Monson; Nelson; Pietsch; Porter; Renner; Rennerfeldt; Ruby; Skarphol; Svedjan; Thoreson, B.; Timm; Wald; Weiler; Wrangham; Speaker Bernstein

NAYS: Aarsvold; Bellew; Berg; Boucher; Clark; Cleary; Delmore; Devlin; Disrud; Drovdal; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleon; Gunter; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, M.; Klemin; Kliniske; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Metcalf; Mueller; Niemeier; Nottestad; Onstad; Pollert; Price; Sandvig; Schmidt; Severson; Solberg; Thoreson, L.; Thorpe; Tieman; Warner; Weisz; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Nicholas

HB 1056 was declared lost.

SECOND READING OF SENATE BILL

SB 2137: A BILL for an Act to provide an appropriation and authorization for the construction of a student housing apartment building and for the renovation of Robinson hall on the campus of North Dakota state university; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Nicholas

SB 2137 passed, the title was agreed to, and the emergency clause was declared carried.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2154.

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 2061, SB 2080, SB 2083, SB 2084, SB 2110, SB 2162.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1075, HB 1186.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2048.

REPORT OF STANDING COMMITTEE

HB 1026, as amended, Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). placed on the Sixth order on the calendar.

Page 1, line 5, remove "and from special funds derived"

Page 1, line 6, remove "from federal funds and other income,"

Page 2, after line 11, insert:

"Subdivision 7.

ATTORNEY GENERAL

Operating expenses	\$40,000
Arrest and return of fugitives	7,000
Total general fund appropriation	\$47,000"

Page 2, line 12, replace "19,177,108" with "19,224,108"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1026 - Summary of House Action

This amendment adds a 1999-2001 biennium general fund deficiency appropriation of \$47,000 for the Attorney General for payments to counties for the arrest and return of fugitives (\$7,000) and the payment of district court prosecution witness fees (\$40,000).

REPORT OF STANDING COMMITTEE

HB 1068: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1068 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1197, as amended, Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). placed on the Sixth order on the calendar.

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

Page 2, line 19, overstrike "one" and insert immediately thereafter "three", overstrike "fifty", and overstrike "241.40" and insert immediately thereafter "482.80"

Page 2, line 21, overstrike "the out-of-state portion of the travel beyond the first one hundred fifty"

Page 2, line 22, overstrike "[241.40 kilometers]" and insert immediately thereafter "driven in excess of six hundred miles [965.60 kilometers] of round trip out-of-state travel"

Page 3, line 4, overstrike "one-hundred-fifty-mile"

Page 3, line 5, overstrike "[241.40-kilometer]" and insert immediately thereafter "three-hundred-mile [482.80-kilometer]"

Page 3, after line 15, insert:

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

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1197 - House Action**

The bill increases the state mileage reimbursement rate from 25 cents to 31 cents per mile. Current law provides that out-of-state travel in excess of 150 miles beyond the state border is reimbursed at the rate of 18 cents per mile. This amendment extends the range for reimbursement at the regular rate to 300 miles beyond the state border and clarifies the language that the 300 miles refers to one-way, not round trip, miles. This amendment also adds an emergency clause to the bill.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Weisz, DeKrey, Nelson and Sen. Klein introduced:

HCR 3015: A concurrent resolution directing the Legislative Council to study the separation of powers between the legislative and judicial branches and the distinction between the responsibilities of each branch.

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

Reps. Kempenich, Brandenburg, Lemieux and Sens. Tollefson, Urlacher introduced:

HCR 3016: A concurrent resolution urging Congress to make grain grading for federal crop insurance more equivalent to industry standards.

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

Reps. Carlisle, DeKrey, Mahoney and Sens. C. Nelson, Traynor, Urlacher introduced:

HCR 3017: A concurrent resolution directing the Legislative Council to study the method of providing legal representation for indigent criminal defendants and the feasibility and desirability of establishing a public defender system.

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

Reps. Aarsvold, Kingsbury, Lloyd, Monson and Sens. Tallackson, Thane introduced:

HCR 3018: A concurrent resolution directing the Legislative Council to study alternatives, including school district income taxes, for funding sources to reduce school districts' dependence on property taxes.

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

FIRST READING OF SENATE BILLS

SB 2051: A BILL for an Act to create and enact a new section to chapter 20.1-13 of the North Dakota Century Code, relating to evidence of sales or use tax payment or exemption for motorboat licensing.

Was read the first time and referred to the **Natural Resources Committee**.

SB 2055: A BILL for an Act to amend and reenact section 54-24.4-01 of the North Dakota Century Code, relating to the composition of the North Dakota library coordinating council.

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

SB 2058: A BILL for an Act to amend and reenact section 57-01-13 of the North Dakota Century Code, relating to the collection of delinquent telecommunications carriers tax from nonresident taxpayers and service of payment requests to delinquent nonresident taxpayers before assignment to a collection or credit agency.

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

SB 2060: A BILL for an Act to amend and reenact subsection 2 of section 57-38-45, subsection 1 of section 57-39.2-18, and subsection 1 of section 57-40.2-15 of the North Dakota Century Code, relating to penalties for income tax and sales or use tax purposes; and to provide a penalty.

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

SB 2094: A BILL for an Act to repeal section 25-16-11 of the North Dakota Century Code, relating to purchase of residential care, custody, treatment, and education for developmentally disabled persons by the department of human services.

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

SB 2102: A BILL for an Act to create and enact a new section to chapter 42-01 of the North Dakota Century Code, relating to the use of certain structures as a nuisance.

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

SB 2116: A BILL for an Act to amend and reenact section 12.1-31-03 and subsection 17 of section 27-20-02 of the North Dakota Century Code, relating to the sale of tobacco to minors; and to provide a penalty.

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

SB 2122: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to optional income tax contributions to the trees for North Dakota program trust fund; to amend and reenact sections 4-21.2-01, 4-21.2-02, and 4-21.2-03 of the North Dakota Century Code, relating to changing the centennial trees program to the trees for North Dakota program; and to declare an emergency.

Was read the first time and referred to the **Natural Resources Committee**.

SB 2135: A BILL for an Act to amend and reenact section 12.1-32-07 and subsection 15 of section 54-23.3-04 of the North Dakota Century Code, relating to probation supervision costs and fees, powers and duties of the director of the department of corrections and rehabilitation, and civil collection of supervision costs and fees.

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

SB 2172: A BILL for an Act to amend and reenact sections 4-34-01, 4-34-03, and 4-34-07 of the North Dakota Century Code, relating to the purposes, qualifications of commission members, and compensation of commission members of the North Dakota beef commission.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4003: A concurrent resolution urging Congress to reduce or eliminate the impediment of capital gains and estate taxes on passage of property to succeeding generations.

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

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, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, January 24, 2001, which motion prevailed.

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

MARK L. JOHNSON, Chief Clerk

