

**JOURNAL OF THE SENATE**

**Fifty-seventh Legislative Assembly**

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**Bismarck, March 2, 2001**

The Senate convened at 12:30 p.m., with President Dalrymple presiding.

The prayer was offered by Reverend Maury Millican, Bismarck Community Church, Bismarck.

The roll was called and all members were present except Senators Flakoll, Klein, Krauter, C. Nelson, Tallackson, and Tollefson.

A quorum was declared by the President.

**CONSIDERATION OF AMENDMENTS**

**HB 1160, as engrossed: SEN. DEVER (Judiciary Committee) MOVED** that the amendments on SJ page 674 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1367, as engrossed: SEN. TRENBEATH (Judiciary Committee) MOVED** that the amendments on SJ pages 674-675 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that the rules be suspended, and after action taken on the Sixth order, HB 1049 be placed on the Fourteenth order, as amended, and SCR 4041 and SCR 4045 be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1049, as engrossed: SEN. TRAYNOR (Judiciary Committee) MOVED** that the amendments on SJ pages 673-674 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1049:** A BILL for an Act to amend and reenact sections 1-08-12, 4-30-03.9, 6-09.6-01.1, 6-09.6-01.2, 10-19.1-05, 15-18-06, 19-03.1-30, and 26.1-26-11, subsection 6 of section 27-20-02, subsection 1 of section 38-08-09.4, subsection 5 of section 40-47-01.1, subsections 1 and 7 of section 40-63-01, sections 40-63-02, 40-63-03, 40-63-09, 42-04-01, 45-22-15, subsection 13 of section 49-21-01, subdivision a of subsection 9 of section 51-25-01, subdivision c of subsection 2 of section 52-06-06.1, subsection 9 of section 54-40.1-02, and sections 54-44.3-12.2, 57-38-71, 57-38-72, 57-38-73, 57-38-74, 57-39.3-02, 57-40.3-11, and 62.1-02-01 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal chapter 38-18.2 of the North Dakota Century Code, relating to obsolete provisions.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

Engrossed HB 1049, as amended, passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SCR 4041: SEN. EVERY (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 672 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4041:** A concurrent resolution directing the Legislative Council to study the financial impact of credit card fees imposed on public institutions of higher education and the social effects of credit card debt on young adults.

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

Engrossed SCR 4041 was declared adopted, and the title was agreed to on a voice vote.

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**CONSIDERATION OF AMENDMENTS**

**SCR 4045: SEN. STENEHJEM (Finance and Taxation Committee) MOVED** that the amendments on SJ page 672 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4045:** A concurrent resolution for the amendment of section 5 of article X of the Constitution of North Dakota, relating to the taxable status of land held for conservation or wildlife purposes; and to provide an effective date.

**ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read, the roll was called and there were 42 YEAS, 1 NAY, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mutch; Nelson, G.; Nothing; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Mathern, T.

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

Engrossed SCR 4045 was declared adopted, and the title was agreed to on a roll call vote.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4038:** A concurrent resolution directing the Legislative Council to study the benefits and risks associated with the use of contracts in agricultural production, including growing and sales provisions, labor arrangements, chemical usage, and provisions necessitated by emerging technologies.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4038 was declared adopted, and the title was agreed to on a voice vote.

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**MOTION**

**SEN. CHRISTMANN MOVED** that SCR 4047, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1195:** A BILL for an Act to amend and reenact section 43-01-18 of the North Dakota Century Code, relating to fees charged by abstracters.

**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 43 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

Engrossed HB 1195 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1077:** A BILL for an Act to amend and reenact section 57-38-34 and subsection 8 of section 57-38-38 of the North Dakota Century Code, relating to the filing date of exempt organization income tax returns regarding unrelated business taxable income and tax assessment extension agreements; 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 41 YEAS, 2 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; Robinson; Schobinger; Solberg; Stenehjerm; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** O'Connell; Polovitz

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

HB 1077 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1237:** A BILL for an Act to create and enact a new subsection to section 53-06.1-06 of the North Dakota Century Code, relating to the use of electronic bingo card marking devices.

#### 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 18 YEAS, 25 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christenson; Christmann; Cook; Fischer; Freborg; Kelsh; Kroepflin; Lee; Mutch; Nelson, G.; O'Connell; Schobinger; Solberg; Stenehjerm; Urlacher; Wardner

**NAYS:** Bercier; Dever; Erbele; Espegard; Every; Grindberg; Heitkamp; Holmberg; Kilzer; Krebsbach; Kringstad; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nething; Nichols; Polovitz; Robinson; Thane; Tomac; Traynor; Trenbeath; Wanzek; Watne

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

Engrossed HB 1237 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1258:** A BILL for an Act to create and enact a new section to chapter 4-10.2 of the North Dakota Century Code, relating to canola districts; to amend and reenact section 4-10.2-03 of the North Dakota Century Code, relating to membership of the oilseed council; 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 43 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroepin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

HB 1258 passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1300:** A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to charity events by public-spirited organizations.

### 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 22 YEAS, 21 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Cook; Dever; Erbele; Espegard; Every; Grindberg; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Lee; Lyson; Mathern, D.; Polovitz; Schobinger; Thane; Traynor; Trenbeath; Wardner; Watne

**NAYS:** Andrist; Bowman; Christenson; Christmann; Fischer; Freborg; Heitkamp; Kroepin; Lindaas; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Robinson; Solberg; Stenehjem; Tomac; Urlacher; Wanzek

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

Engrossed HB 1300 lost.

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### SECOND READING OF SENATE CONCURRENT RESOLUTION ON CONSENT CALENDAR

**SCR 4040:** A concurrent resolution directing the Legislative Council to study the problems associated with credit card companies marketing credit cards to college students.

### ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were

40 YEAS, 3 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroepin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Stenehjem; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner

**NAYS:** Lee; Solberg; Watne

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

SCR 4040 was declared adopted on a recorded roll call vote, and the title was agreed to.

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### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. NOTHING MOVED** that the Senate do concur in the House amendments to Engrossed SB 2349 as printed on SJ pages 659-660, which motion prevailed on a voice vote.

Engrossed SB 2349, as amended, was placed on the Eleventh order of business.

### SECOND READING OF SENATE BILL

**SB 2349:** A BILL for an Act to amend and reenact section 6-09.15-03 of the North Dakota Century Code, relating to loans under the beginning entrepreneur loan guarantee

program; to provide for reports on the beginning entrepreneur loan guarantee program; to provide a statement of legislative intent; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

Reengrossed SB 2349 passed, the title was agreed to, and the emergency clause was declared carried.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. DEVER MOVED** that the conference committee report on HCR 3003 as printed on SJ page 616 be adopted, which motion prevailed on a voice vote.

HCR 3003 was placed on the Fourteenth order.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3003:** A concurrent resolution directing the Legislative Council to study and develop a legislative redistricting plan or plans for use in the 2002 primary election.

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

HCR 3003 was declared adopted, and the title was agreed to on a voice vote.

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#### MOTION

**SEN. CHRISTMANN MOVED** that the Senate resolve itself into a Confirmation Session, which motion prevailed.

#### REPORT OF SELECT COMMITTEE

**MR. PRESIDENT:** Your **Select Committee (Sen. Grindberg, Chairman)** appointed to consider the nominations for the State Gaming Commission, do advise and consent to the nomination of Sandi Frenzel.

**SEN. GRINDBERG MOVED** that the report be adopted.

#### ROLL CALL

The question being will the Senate "advise and consent to the nomination of Sandi Frenzel for the State Gaming Commission", the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

The Senate advises and consents to the nomination of Sandi Frenzel for the State Gaming Commission.

#### REPORT OF SELECT COMMITTEE

**MR. PRESIDENT:** Your **Select Committee (Sen. Grindberg, Chairman)** appointed to consider the nominations for the State Gaming Commission, do advise and consent to the nomination of Carrol Torgerson.

**SEN. GRINDBERG MOVED** that the report be adopted.

**ROLL CALL**

The question being will the Senate "advise and consent to the nomination of Carrol Torgeson for the State Gaming Commission", the roll was called and there were 42 YEAS, 1 NAY, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Mathern, T.

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

The Senate advises and consents to the nomination of Carrol Torgeson for the State Gaming Commission.

**REPORT OF SELECT COMMITTEE**

**MR. PRESIDENT:** Your **Select Committee (Sen. Grindberg, Chairman)** appointed to consider the nominations for the State Gaming Commission, do advise and consent to the nomination of James P. Wang.

**SEN. GRINDBERG MOVED** that the report be adopted.

**ROLL CALL**

The question being will the Senate "advise and consent to the nomination of James P. Wang for the State Gaming Commission", the roll was called and there were 37 YEAS, 6 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Bercier; Christenson; Every; Kelsh; Mathern, D.; O'Connell

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

The Senate advises and consents to the nomination of James P. Wang for the State Gaming Commission.

**REPORT OF SELECT COMMITTEE**

**MR. PRESIDENT:** Your **Select Committee (Sen. Christmann, Chairman)** appointed to consider the nominations for the State Board of Higher Education, do advise and consent to the nomination of Ralph Kingsbury.

**SEN. CHRISTMANN MOVED** that the report be adopted.

**ROLL CALL**

The question being will the Senate "advise and consent to the nomination of Ralph Kingsbury for the State Board of Higher Education", the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

The Senate advises and consents to the nomination of Ralph Kingsbury for the State Board of Higher Education.

**REPORT OF SELECT COMMITTEE**

**MR. PRESIDENT:** Your **Select Committee (Sen. Christmann, Chairman)** appointed to consider the nominations for the State Board of Higher Education, do advise and consent to the nomination of Craig Caspers.

**SEN. CHRISTMANN MOVED** that the report be adopted.

#### ROLL CALL

The question being will the Senate "advise and consent to the nomination of Craig Caspers for the State Board of Higher Education", the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Flakoll; Klein; Krauter; Nelson, C.; Tallackson; Tollefson

The Senate advises and consents to the nomination of Craig Caspers for the State Board of Higher Education.

#### MOTION

**SEN. CHRISTMANN MOVED** that the Confirmation Session be dissolved, which motion prevailed.

#### MOTION

**SEN. CHRISTMANN MOVED** that HB 1479 be returned to the Senate floor from the **Finance and Taxation Committee** and be rereferred to the **Transportation Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, HB 1479 was rereferred.

#### POINT OF PERSONAL PRIVILEGE

**SEN. HEITKAMP REQUESTED** that the remarks of Senator Christenson be printed in the Journal, which request was granted.

#### REMARKS OF SENATOR CHRISTENSON

As an educator, as we all are, I wish to draw special attention today to two outstanding examples of education events. We also want to commend the choir from the Bel Air School who sang today.

On behalf of Senators from Districts 42, 43, 17, and 18 of Grand Forks, I want to commend the Red River High Roughriders on their victory in the state hockey tournament this past weekend. These young people exhibited the skill, dedication, and discipline we hope to instill in young people. As a Red River High School teacher I am especially proud of coach Matt Malm and his team. It must be noted that the Fargo North Spartans were excellent challengers.

Secondly, I submit the following Proclamation:

Whereas, the citizens of North Dakota stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and Whereas, the citizens of North Dakota understand the importance of community involvement in the education of our children and youth and that educational investments is in the best interest of the community's well-being and long-term quality of life; and Whereas, Read Across America, a national celebration of Dr. Seuss' birthday on March 2, promotes reading and adult involvement in the education of North Dakota's children: Now, Therefore, The North Dakota Senate hereby proclaims March 2, 2001, as **Read Across North Dakota Day** because, you're never too old, to wacky, too wild, to pick up a book and read to a child! Grab your books and read!

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1038, HB 1053.

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

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

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

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

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

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

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass: HB 1128.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2134.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed unchanged: SB 2072, SB 2079, SB 2147, SB 2157, SB 2189, SB 2428, SCR 4008.

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

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2230**

Page 2, line 1, remove "executive committee of the"

Page 2, line 2, replace "executive" with "district"

Page 2, line 5, replace "executive" with "district"

Page 2, line 7, replace "four" with "eight" and replace "sixty" with "twenty-eight"

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HCR 3056, HCR 3058, HCR 3062, HCR 3067, HCR 3069.

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

**MOTION**

**SEN. CHRISTMANN MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, March 5, 2001, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SCR 4030: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO NOT PASS** (6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SCR 4030 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4043: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4043 was placed on the Sixth order on the calendar.

Page 1, replace lines 3 through 7 with:

"**WHEREAS**, carbon dioxide emissions from manmade activities account for approximately four percent of total carbon dioxide emissions worldwide; and

**WHEREAS**, while the scientific community continues to debate the causation and extent of global warming from increased carbon dioxide emissions, it is prudent to take actions that reduce carbon dioxide emissions under voluntary, no-regrets policies; and"

Renumber accordingly



**REPORT OF STANDING COMMITTEE**

**SCR 4044: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4044 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4046: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4046 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1035, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1035 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1079: Agriculture Committee (Sen. Wanzek, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1079 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1091, as engrossed: Transportation Committee (Sen. Stenehjem, Chairman)** recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1091 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1119, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1119 was placed on the Sixth order on the calendar.

Page 1, line 17, after the period insert "Development of the written policy must include input from employees."

Page 2, line 6, remove "Agencies may pay bonuses under this section during a fiscal year to not more than"

Page 2, remove lines 7 and 8

Page 2, line 9, remove "fiscal year."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1120, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1120 was placed on the Sixth order on the calendar.

Page 1, line 20, remove "designated"

Page 1, line 21, after "committee" insert "designated by the legislative council"

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1122: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1122 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1123, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1123 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1124: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1124 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1135, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1135 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1147: Transportation Committee (Sen. Stenehjem, Chairman)** recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1147 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1148, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1148 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1156, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1156 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1158: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1158 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1167: Transportation Committee (Sen. Stenehjem, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1167 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1170, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1170 was placed on the Sixth order on the calendar.

Page 4, line 4, remove the overstrike over "hauler"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1191: Transportation Committee (Sen. Stenehjem, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1191 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1211: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1211 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1240, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1240 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1255: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1255 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1279: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1279 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1323, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1323 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1332: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1332 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1335, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1335 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1339: Agriculture Committee (Sen. Wanzek, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1339 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1404, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1404 was placed on the Fourteenth order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 3056:** A concurrent resolution directing the Legislative Council to study the state of and future demands on the transportation infrastructure in this state. Was read the first time and referred to the **Transportation Committee**.

**HCR 3058:** A concurrent resolution directing the Legislative Council to study current and 5-, 10-, 25-, and 50-year projections of the delivery of health care services in the state, including the capacity, distribution, and accessibility of the system of providing health services; the changing dynamics of delivery and funding of health services; possible health care services strategies to better serve residents; the role of health care services in future development in this state; and the effects of having inadequate reimbursement in this state, including the impact of inadequate reimbursement on the continued availability, viability, and financial stability of health care. Was read the first time and referred to the **Human Services Committee**.

**HCR 3062:** A concurrent resolution directing the Legislative Council to study issues relating to the high and rising cost of prescription drugs in the United States and inequitable prescription drug pricing in the United States and possible methods of containing prescription drug costs. Was read the first time and referred to the **Finance and Taxation Committee**.

**HCR 3067:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a behavior modification academy for certain adult and juvenile offenders. Was read the first time and referred to the **Judiciary Committee**.

**HCR 3069:** A concurrent resolution directing the Legislative Council to study methods to better protect the health of children in the state. Was read the first time and referred to the **Human Services Committee**.

The Senate stood adjourned pursuant to Senator Christmann's motion.

**WILLIAM R. HORTON, Secretary**

