

## JOURNAL OF THE HOUSE

## Fifty-seventh Legislative Assembly

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Bismarck, March 16, 2001

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

The prayer was offered by Pastor James Hanson, Our Savior's Lutheran Church, Hillsboro.

The roll was called and all members were present except Representatives Bellew, Brandenburg, Bernstein, Kempenich, L. Thoreson, Timm, and Wrangham.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. SPEAKER:** Your Committee on Correction and Revision of the Journal (**Rep. Kretschmar, Chairman**) has carefully examined the Journal of the Forty Second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 872, after line 42 insert:

**"DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 12, 2001: HB 1139, HB 1152, HB 1155, HB 1195, HB 1207, HB 1258, HB 1351, HB 1374, HB 1471."

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed.

## SIXTH ORDER OF BUSINESS

**REP. BELTER MOVED** that the amendments on the Sixth order of business to SB 2039 SB 2045, SB 2105, SB 2116, SB 2181, SB 2187, SB 2257, SB 2281, SB 2299, SB 2336, SB 2361, SB 2365, SB 2384, SB 2444, and SCR 4020 be adopted, which motion prevailed.

SB 2039 SB 2045, SB 2105, SB 2116, SB 2181, SB 2187, SB 2257, SB 2281, SB 2299, SB 2336, SB 2361, SB 2365, SB 2384, SB 2444, and SCR 4020, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT  
CALENDAR

**SCR 4011:** A concurrent resolution directing the Legislative Council to study the library system in North Dakota to determine the most efficient and effective methods for delivery of library services.

**SCR 4023:** A concurrent resolution urging Congress to monitor the anticompetitive conditions in the grain and meatpacking industries and to take whatever action necessary to ensure that the consequences of such anticompetitive conditions do not further harm producers and consumers.

**SCR 4026:** A concurrent resolution urging Congress to carefully examine United States agricultural policy with a view to addressing trade and export enhancement issues, adequate loan rates for all commodities, and any other issues or provisions that would restore income protection and prosperity for this country's farmers.

**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 resolutions, which have been read.

SCR 4011, SCR 4023, SCR 4026, and SCR 4038 passed on a voice vote, and the titles were agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. FROSETH MOVED** that the House do concur in the Senate amendments to HB 1133 as printed on HJ page 887, which motion prevailed on a voice vote.

HB 1133, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1133:** A BILL for an Act to amend and reenact section 47-19-33 of the North Dakota Century Code, relating to the proof of a document.

**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, 6 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

Engrossed HB 1133 passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. FROSETH MOVED** that the House do concur in the Senate amendments to HB 1352 as printed on HJ page 888, which motion prevailed on a voice vote.

HB 1352, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1352:** A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to recall petitions; and to amend and reenact sections 16.1-01-09 and 44-08-21 of the North Dakota Century Code, relating to initiative and referendum petitions and recall petitions of political subdivision officials.

**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, 6 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

Engrossed HB 1352 passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. FROSETH MOVED** that the House do concur in the Senate amendments to HB 1353 as printed on HJ pages 889-890, which motion prevailed on a voice vote.

HB 1353, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1353:** A BILL for an Act to create and enact a new section to chapter 44-01 of the North Dakota Century Code, relating to filing of oaths of office; and to amend and reenact sections 44-01-05, 44-05-04, and 54-09-04 of the North Dakota Century Code, relating to oaths of civil officers and fees imposed by 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 92 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

Engrossed HB 1353 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2246:** A BILL for an Act to create and enact a new section to chapter 26.1-33 of the North Dakota Century Code, relating to the duties of a trustee of a life insurance trust.

**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, 1 NAY, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**NAYS:** Thorpe

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

Engrossed SB 2246 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2265:** A BILL for an Act to amend and reenact subsection 2 of section 6-08-16 and subsection 4 of section 6-08-16.2 of the North Dakota Century Code, relating to the civil penalty for issuing a bad check or draft.

**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 78 YEAS, 14 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boehm; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Disrud; Dosch; Eckre; Ekstrom; Froseth; Galvin; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Wald

**NAYS:** Aarsvold; Boucher; Delzer; Devlin; Drovdal; Fairfield; Froelich; Glassheim; Kerzman; Lemieux; Sandvig; Solberg; Thorpe; Wrangham

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

Engrossed SB 2265 passed and the title was agreed to.

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**MOTION**

**REP. BELTER MOVED** that SB 2381 be moved to the bottom of the calendar, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2330:** A BILL for an Act to provide for a legislative council study relating to insurance coverage for augmentative communication devices and services for children.

**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 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Maragos; Thoreson, L.; Timm

SB 2330 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2400:** A BILL for an Act to amend and reenact subsection 1 of section 47-16-14 and section 47-16-15 of the North Dakota Century Code, relating to termination of leases.

**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 2 YEAS, 89 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Dosch; Skarphol

**NAYS:** Aarsvold; Belter; Berg; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Maragos; Thoreson, L.; Timm

SB 2400 lost.

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#### SECOND READING OF SENATE BILL

**SB 2426:** A BILL for an Act to amend and reenact section 12.1-09-04 of the North Dakota Century Code, relating to harassment of and communication with jurors; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Maragos; Nicholas; Thoreson, L.; Timm

SB 2426 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2431:** A BILL for an Act to amend and reenact section 54-12-05 of the North Dakota Century Code, relating to biennial reports.

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

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2431 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2441:** A BILL for an Act to amend and reenact sections 5-01-08 and 5-02-06 of the North Dakota Century Code, relating to the performance of official duties in licensed alcoholic beverage premises.

### 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 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovda; 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.; 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.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Nicholas; Thoreson, L.; Timm

SB 2441 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2451:** A BILL for an Act to amend and reenact subsection 5 of section 23-07.5-02 of the North Dakota Century Code, relating to access to a dead person's medical records.

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

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovda; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2451 passed and the title was agreed to.

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### SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4035:** A concurrent resolution directing the Legislative Council to study the state's implementation of federal full faith and credit provisions relating to domestic violence protection orders and the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act.

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

SCR 4035 was declared lost on a voice vote.

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### SECOND READING OF SENATE BILL

**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.

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

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2055 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2066:** A BILL for an Act to amend and reenact section 2 of chapter 188 of the 1987 Session Laws, relating to reversion of property not used as a fairgrounds in Stark County.

### 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 1 YEA, 91 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Koppang

**NAYS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2066 lost.

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### SECOND READING OF SENATE BILL

**SB 2234:** A BILL for an Act to amend and reenact section 53-06.1-12 of the North Dakota Century Code, relating to the excise tax for pull tabs.

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

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2234 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2252:** A BILL for an Act to amend and reenact paragraph 5 of subdivision d of subsection 1 of section 57-38-01.2 and subsection 5 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax deductions or credits for adoption expenses; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 55 YEAS, 37 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boehm; Boucher; Carlisle; Cleary; Delmore; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleon; Hanson; Hawken; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kerzman; Klein, F.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Ruby; Sandvig; Schmidt; Solberg; Thoreson, B.; Thorpe; Warner; Weiler; Wikenheiser; Winrich; Acting Speaker Wald

**NAYS:** Belter; Berg; Brekke; Brusegaard; Byerly; Carlson; Clark; DeKrey; Delzer; Drovdal; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Herbel; Kasper; Kelsch, R.; Kingsbury; Klein, M.; Kliniske; Maragos; Monson; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Severson; Skarphol; Svedjan; Tieman; Weisz; Wentz; Wrangham

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2252 passed and the title was agreed to.

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**MOTION**

**REP. BELTER MOVED** that SB 2252 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Belter's motion, SB 2252 was rereferred.

**SECOND READING OF SENATE BILL**

**SB 2256:** A BILL for an Act to amend and reenact section 11 of chapter 535 of the 1999 Session Laws, relating to the issuance of bonds for construction of an outlet from Devils Lake.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.



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

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Grande; Gulleson; Kelsh, S.; Kempenich; Lemieux; Thoreson, L.; Timm

SB 2256 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2267:** A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code or in the alternative to create and enact a new section to chapter 15.1-18 of the North Dakota Century Code, relating to teacher unavailability.

### 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 18 YEAS, 73 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Belter; Carlson; Clark; DeKrey; Delzer; Devlin; Grande; Grosz; Kasper; Koppelman; Lemieux; Pietsch; Ruby; Sandvig; Weiler; Weisz; Wrangham; Acting Speaker Wald

**NAYS:** Aarsvold; Berg; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Cleary; Delmore; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Kretschmar; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pollert; Porter; Price; Renner; Rennerfeldt; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Wentz; Wikenheiser; Winrich

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kelsh, S.; Kempenich; Thoreson, L.; Timm

SB 2267 lost.

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### SECOND READING OF SENATE BILL

**SB 2344:** A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to lodging expenses of political subdivision elective or appointive officers, employees, representatives, or agents.

### 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 83 YEAS, 9 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

**NAYS:** Brusegaard; Delzer; Devlin; Drovdal; Grosz; Lloyd; Price; Weiler; Wrangham

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2344 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2406:** A BILL for an Act to create and enact a new subsection to section 39-08-01 of the North Dakota Century Code, relating to inmate placement for driving while under the influence.

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

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2406 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2408:** A BILL for an Act to amend and reenact sections 57-36-01, 57-36-09, 57-36-25, 57-36-26, 57-36-28, 57-36-29, and 57-36-33 of the North Dakota Century Code, relating to the tobacco products tax.

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

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

**NAYS:** Froelich; Kasper; Lemieux; Mueller; Severson; Thoreson, B.

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2408 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2424:** A BILL for an Act to create and enact two new sections to chapter 55-01 of the North Dakota Century Code, relating to the state historical society; to amend and reenact

sections 1-08-04.1 and 11-11-53, subsection 7 of section 23-06-27, section 38-14.1-10, subdivision u of subsection 1 of section 38-14.1-14, subsection 2 of section 38-14.1-21, subsection 1 of section 38-14.1-30, subdivision d of subsection 2 of section 38-14.1-37, sections 46-05-01, 54-01-13.1, and 54-02-07, subsection 2 of section 54-06-04, subdivision w of subsection 1 of section 54-07-01.2, sections 54-17.3-05, 54-17.3-07, 54-24-09, 55-01-01, 55-01-02, 55-01-02.1, 55-01-03, 55-01-04, 55-01-05, 55-01-06, 55-01-07, 55-01-10, 55-01-11, 55-02-01, 55-02-01.1, 55-02-01.2, 55-02-01.3, 55-02-03, 55-02-04, 55-02-05, 55-02-06, 55-02-07, 55-02-07.1, 55-02-08, 55-02-09, 55-02.1-02, 55-02.1-05, 55-03-01, 55-03-01.1, 55-03-02, 55-03-03, 55-03-04, and 55-06-01, subsections 9 and 10 of section 55-08-01.3, sections 55-10-02, 55-10-07, 55-10-08, 55-10-09, 55-10-10, 55-10-12, and 57-02-08.7 of the North Dakota Century Code, relating to the duties and responsibilities of the state historical board and the state historical society and changing references from the superintendent of the state historical board to the director of the state historical society; to repeal sections 55-01-08, 55-02-02, 55-10-03, 55-10-04, 55-10-05, and 55-10-06 of the North Dakota Century Code, relating to the maintenance of the Roosevelt cabin, the transfer of property from the state historical society board to the North Dakota park service, and to the designation of historical sites; to provide an effective date; 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 91 YEAS, 1 NAY, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**NAYS:** Weisz

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2424 passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2381:** A BILL for an Act to amend and reenact section 53-06.2-10.1 of the North Dakota Century Code, relating to simulcast wagering.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 74 YEAS, 18 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Berg; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Cleary; DeKrey; Delmore; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Wald

**NAYS:** Belter; Carlson; Clark; Delzer; Devlin; Drovdal; Grande; Hunskor; Kasper; Kerzman; Kingsbury; Lloyd; Niemeier; Pietsch; Skarphol; Svedjan; Thoreson, B.; Wrangham

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Thoreson, L.; Timm

SB 2381 passed and the title was agreed to.

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### MOTION

**REP. BELTER MOVED** that SB 2039, SB 2045, SB 2105, SB 2116, SB 2181, SB 2187, SB 2257, SB 2281, SB 2336, SB 2361, SB 2365, SB 2384, and SB 2444 be moved to the top of the Fourteenth order, which motion prevailed.

### SECOND READING OF SENATE BILL

**SB 2039:** A BILL for an Act to amend and reenact section 15-10-12.1 of the North Dakota Century Code, relating to legislative approval of capital improvement projects financed by donations, gifts, grants, and bequests.

### 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, 7 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Gulleson; Kempenich; Thoreson, L.; Timm

Engrossed SB 2039 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2045:** A BILL for an Act to amend and reenact sections 14-05-24 and 14-09-06.4 of the North Dakota Century Code, relating to the division of property in divorce proceedings and immunity for guardians ad litem and child custody investigators.

### 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 83 YEAS, 7 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

**NAYS:** Fairfield; Klein, F.; Mahoney; Severson; Thorpe; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Maragos; Skarphol; Thoreson, L.; Timm

Engrossed SB 2045 passed and the title was agreed to.

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**MOTION**

**REP. BELTER MOVED** that SB 2116 and SB 2281 be moved to the bottom of the calendar, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2105:** A BILL for an Act to create and enact a new section to chapter 27-21 of the North Dakota Century Code, relating to the files and records of the division of juvenile services; and to amend and reenact section 27-20-51.1 of the North Dakota Century Code, relating to disclosure of information needed to apprehend juveniles.

**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, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Skarphol; Thoreson, L.; Timm

Engrossed SB 2105 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2181:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to rental company surcharge on motor vehicle rentals; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 1 NAY, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; Brekke; Brusegaard; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**NAYS:** Warner

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Byerly; Kempenich; Kliniske; Skarphol; Thoreson, L.; Timm

Engrossed SB 2181 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2187:** A BILL for an Act to provide for a legislative council study of trusts for individuals with disabilities.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 2 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

**NAYS:** DeKrey; Kasper

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Skarphol; Thoreson, L.; Timm

Engrossed SB 2187 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2257:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm at a public gathering.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAY, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

**NAYS:** Wrangham

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Skarphol; Thoreson, L.; Timm

Engrossed SB 2257 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2336:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to a corporate income tax deduction for research and development expenditures at a certified research and development center in this state; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 24 YEAS, 66 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Berg; Clark; DeKrey; Delmore; Disrud; Ekstrom; Glassheim; Hawken; Jensen; Johnson, N.; Keiser; Kelsh, S.; Koppelman; Kretschmar; Lemieux; Maragos; Meier; Nicholas; Onstad; Pietsch; Sandvig; Thoreson, B.; Weisz; Wentz

**NAYS:** Aarsvold; Belter; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Cleary; Devlin; Dosch; Drovdal; Eckre; Fairfield; Froelich; Froseth; Galvin; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Herbel; Huether; Hunskor; Johnson, D.; Kasper; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Kliniske; Koppang; Kroeber; Lloyd; Mahoney; Martinson; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Schmidt; Severson; Solberg; Svedjan; Thorpe; Tieman; Warner; Weiler; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Delzer; Kempenich; Skarphol; Thoreson, L.; Timm

Engrossed SB 2336 lost.

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### SECOND READING OF SENATE BILL

**SB 2361:** A BILL for an Act to amend and reenact section 14-02.1-02.1 of the North Dakota Century Code, relating to information provided by the state department of health regarding pregnancy, childbirth, and adoption.

### 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, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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.; Kelsch, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Skarphol; Thoreson, L.; Timm

Engrossed SB 2361 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2365:** A BILL for an Act to create and enact two new sections to chapter 25-13 of the North Dakota Century Code, relating to assistance dogs; to amend and reenact sections 25-13-02, 25-13-03, 25-13-04, 39-10-33.3, and subsection 22 of section 40-05-02 of the North Dakota Century Code, relating to the rights of individuals with disabilities who are accompanied by assistance dogs and the licensing of assistance dogs; 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 89 YEAS, 2 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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.; Kelsch, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**NAYS:** Porter; Weisz

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Skarphol; Thoreson, L.; Timm

Engrossed SB 2365 passed and the title was agreed to.

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#### **MOTION**

**REP. BELTER MOVED** that SB 2116 be laid over one legislative day, which motion prevailed.

#### **SECOND READING OF SENATE BILL**

**SB 2384:** A BILL for an Act to amend and reenact section 50-25.1-11 of the North Dakota Century Code, relating to authorized disclosures of confidential records.

#### **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, 7 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Skarphol; Thoreson, L.; Timm

Engrossed SB 2384 passed and the title was agreed to.

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#### **SECOND READING OF SENATE BILL**

**SB 2444:** A BILL for an Act to create and enact section 19-03.1-22.1, a new subsection to section 19-03.1-37, and chapter 19-03.4 of the North Dakota Century Code, relating to volatile chemicals and drug paraphernalia; to amend and reenact section 12.1-32-09, subsection 1 of section 15.1-24-05, subsection 7 of section 19-03.1-23, section 19-03.1-23.2, subsection 6 of section 19-03.1-36, and subsection 4 of section 19-03.1-37 of the North Dakota Century Code, relating to drug offenses and enhanced sentencing; to repeal section 12.1-31-06 and chapter 12.1-31.1 of the North Dakota Century Code, relating to volatile chemicals and drug paraphernalia; to provide a penalty; and to declare an emergency.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Skarphol; Thoreson, L.; Timm



Engrossed SB 2444 passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2281:** A BILL for an Act to create and enact a new subsection to section 14-07.1-02 of the North Dakota Century Code, relating to the issuance of a protection order based upon actions occurring outside the 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 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; 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.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Acting Speaker Wald

**ABSENT AND NOT VOTING:** Bellew; Bernstein; Brandenburg; Kempenich; Skarphol; Thoreson, L.; Timm

Engrossed SB 2281 passed and the title was agreed to.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1101, HB 1166, HB 1336, and HB 1452.

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

**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SB 2063, SB 2073, SB 2078, SB 2084, SB 2085, SB 2103, SB 2115, SB 2148, SB 2172, SB 2179, SB 2209, SB 2227, SB 2230, SB 2253, SB 2255, SB 2259, SB 2274, SB 2280, SB 2340, SB 2390, SB 2396, SB 2404, SB 2445.

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

**MR. SPEAKER:** The President has signed: HB 1027, HB 1031, HB 1033, HB 1044, HB 1047, HB 1059, HB 1071, HB 1074, HB 1075, HB 1084, HB 1089, HB 1091, HB 1118, HB 1154, HB 1167, HB 1170, HB 1175, HB 1185, HB 1186, HB 1198, HB 1199, HB 1205, HB 1225, HB 1236, HB 1239, HB 1252, HB 1266, HB 1271, HB 1277, HB 1284, HB 1324, HB 1327, HB 1356, HB 1378, HB 1392, HB 1405, HB 1453.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2086, SB 2118, SB 2205, SB 2226, SB 2446.

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

**MR. PRESIDENT:** The House has passed unchanged: SB 2327.

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

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2374.

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

**MR. PRESIDENT:** The House has failed to pass: SB 2248.

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

**MR. SPEAKER:** The Senate has failed to pass: HB 1145, HB 1229.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed unchanged: HB 1137, HCR 3055, HCR 3057, HCR 3064.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1226, HB 1331.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1226**

Page 1, line 14, remove "26.1-36-08,"

Page 1, line 16, remove "26.1-36-12.1,"

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE BILL NO. 1331**

Page 2, line 2, after "signer's" insert "complete" and remove the overstrike over "~~residential address-or~~"

Page 2, line 3, replace "complete mailing" with "rural route or general delivery"

Page 3, line 4, replace "mailing" with "residential address or rural route or general delivery"

Page 3, line 9, remove the overstrike over "~~Residential Address~~"

Page 3, line 10, remove the overstrike over "~~or~~"

Page 3, line 11, replace "mailing address" with "Rural Route or General Delivery Address"

Page 4, line 28, after "the" insert "complete" and remove the overstrike over "~~residential addresses-or~~"

Page 4, line 29, replace "complete mailing" with "rural route or general delivery"

Renumber accordingly

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 16, 2001: HB 1027, HB 1031, HB 1033, HB 1044, HB 1047, HB 1059, HB 1071, HB 1074, HB 1075, HB 1084, HB 1089, HB 1091, HB 1118, HB 1154, HB 1167, HB 1170, HB 1175, HB 1185, HB 1186, HB 1198, HB 1199, HB 1205, HB 1225, HB 1236, HB 1239, HB 1252, HB 1266, HB 1271, HB 1277, HB 1284, HB 1324, HB 1327, HB 1356, HB 1378, HB 1392, HB 1405, HB 1453.

**REPORT OF STANDING COMMITTEE**

**SB 2027, as engrossed: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2027 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "three different" with "Bowman, Emmons, and McKenzie" and remove "of the state"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2040: Appropriations Committee (Rep. Timm, Chairman)** recommends **DO NOT PASS** (16 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2040 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2074: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2074 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2114, as reengrossed and amended: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Reengrossed SB 2114, as amended, was placed on the Sixth order on the calendar.

Page 8, line 24, replace the first "of" with "or"

Page 8, line 25, remove "activity"

Page 12, line 15, after the first comma insert "a specialty practice registered nurse,"

Page 12, line 19, after the first comma insert "a specialty practice registered nurse,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2162, as engrossed and amended: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2162, as amended, was placed on the Sixth order on the calendar.

Page 5, line 9, after the underscored comma insert "which are not reversed on appeal,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2169: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2169 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2175, as engrossed: Appropriations Committee (Rep. Timm, Chairman)** recommends **DO PASS** (13 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2175 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2176: Appropriations Committee (Rep. Timm, Chairman)** recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2176 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2195, as engrossed and 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). Engrossed SB 2195, as amended, was placed on the Sixth order on the calendar.

Page 1, line 9, after "fame" insert "for defraying capital construction costs"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Dept. 605 - Department of Commerce - House Action

This amendment provides that the \$100,000 grant provided to the North Dakota Cowboy Hall of Fame is to be used for capital construction costs.

#### REPORT OF STANDING COMMITTEE

**SB 2201: Natural Resources Committee (Rep. Rennerfeldt, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2201 was placed on the Sixth order on the calendar.

Page 2, line 7, remove "Any transfer or transaction under section 1 or 2 of this Act of land that is"

Page 2, remove line 8

Page 2, line 9, remove "the property and gravel, clay, and scoria."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2217, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended,

recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2217 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "and"

Page 1, line 8, after "penalty" insert "; and to provide for a report to the legislative assembly"

Page 6, line 14, remove ", actual damages"

Page 7, line 2, remove "by the department" and overstrike "and information" and insert immediately thereafter "by the department under this chapter is an open record. Information"

Page 7, line 3, remove "chapter" and overstrike "are" and insert immediately thereafter "chapter is"

Page 7, line 5, after "chapter" insert "or before the administrative closure of a complaint by the department"

Page 11, after line 2, insert:

**"SECTION 15. COMMISSIONER OF LABOR TO REPORT TO LEGISLATIVE ASSEMBLY.** Between the first and tenth legislative days of the fifty-eighth legislative assembly, the commissioner of labor shall submit a report at a public hearing before a standing committee of each house of the legislative assembly. The report must include information and statistics regarding the nature, number, status, and disposition of complaints received by the department of labor under chapters 14-02.4 and 14-02.5."

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2235: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2235 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2245, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2245 was placed on the Sixth order on the calendar.

Page 2, remove the overstrike over lines 29 through 31

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2264: Natural Resources Committee (Rep. Rennerfeldt, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2264 was rereferred to the **Appropriations Committee**.

#### **REPORT OF STANDING COMMITTEE**

**SB 2268: Appropriations Committee (Rep. Timm, Chairman)** recommends **DO NOT PASS** (17 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SB 2268 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2278, as engrossed: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2278 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "employment of" with "the payment of a retention bonus to"

Page 1, line 9, after "for" insert "the payment of a retention bonus during the taxable year to"

Page 1, line 10, replace "in the amount of" with ". The credit is equal to fifty percent of the retention bonus paid to each recent graduate during the taxable year and may not exceed"

Page 1, after line 16, insert:

- "2. "Retention bonus" means an amount paid by the taxpayer for the purpose of keeping and retaining the employee in the targeted job for a minimum of twelve months from the date of payment, and is not to be considered part of the salary to be paid to the employee under subsection 3."

Page 1, line 17, replace "2" with "3"

Page 1, after line 24, insert:

- "4. A partnership, limited partnership, subchapter S corporation, limited liability company or any other passthrough entity that employs a recent graduate in a targeted job must be considered to be the taxpayer for purposes of the credit limitations in this section. The amount of the credit allowed with respect to the entity's payment of a retention bonus must be determined at the passthrough entity level. The amount of the total credit determined at the passthrough entity level must be allowed to the partners or shareholders in proportion to their respective interests in the passthrough entity.
5. If a recent graduate is not employed for the full twelve months following the date the retention bonus was paid, the credit is disallowed for the taxable year in which the credit was claimed by the taxpayer. If this subsection applies, the taxpayer must file an amended return within ninety days after the date the recent graduate's employment ends to report the disallowed credit and pay the resulting tax due. Notwithstanding the time periods for assessment in section 57-38-38, if a taxpayer fails to file the amended return and pay the tax due, the tax commissioner may assess the tax due resulting from the credit disallowance."

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2288, as engrossed: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2288 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2289: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2289 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "A private" with "An"

Page 1, line 8, remove "private"

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2291, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2291 was placed on the Sixth order on the calendar.

Page 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study of the transfer of credits among institutions of higher education."

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

**SECTION 1. LEGISLATIVE COUNCIL STUDY - TRANSFER OF CREDITS AMONG INSTITUTIONS OF HIGHER EDUCATION.** During the 2001-02 interim, the legislative council shall study the transfer of credits to and from state institutions of higher education. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2373, as engrossed and amended: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2373, as amended, was placed on the Sixth order on the calendar.

Page 1, line 8, remove "a second or subsequent jobs or from"

Page 1, line 9, replace "from a primary job may be deducted from gross income if the" with "and bonuses must be deducted from gross income; however, income from irregular overtime and bonuses must be considered for the payment of arrearages"

Page 1, remove lines 10 through 13

Page 1, line 14, remove "beyond a regular forty-hour workweek"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2315, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2315 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2375, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2375 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2376, as engrossed: Natural Resources Committee (Rep. Rennerfeldt, Chairman)** recommends **DO NOT PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2376 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2379, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2379 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "seven" with "eight"

Page 1, line 8, after the first "representative" insert "; the agriculture commissioner or the commissioner's representative"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2393, as engrossed: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2393 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2403, as engrossed and amended: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2403, as amended, was placed on the Sixth order on the calendar.

Page 1, line 8, after "with" insert ", or in lieu of,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SCR 4043, as engrossed: Natural Resources Committee (Rep. Rennerfeldt, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS,

0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SCR 4043 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SCR 4046: Natural Resources Committee (Rep. Rennerfeldt, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4046 was placed on the Tenth 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 and Twelfth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 19, 2001, which motion prevailed.

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

**MARK L. JOHNSON, Chief Clerk**

