

## JOURNAL OF THE HOUSE

## Fifty-ninth Legislative Assembly

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Bismarck, February 1, 2005

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

The prayer was offered by Rev. Michael Bommarito, Chaplain with the Bismarck Salvation Army.

The roll was called and all members were present except Representatives Ekstrom, Rennerfeldt, and Zaiser.

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 Twentieth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

On Page 346, line 29, replace "Human Services" with "Government and Veterans Affairs"

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

## SIXTH ORDER OF BUSINESS

**REP. MONSON MOVED** that the amendments on the Sixth order of business to HB 1043, HB 1165, HB 1170, HB 1222, HB 1294, HB 1433 and HB 1453 be adopted, which motion prevailed.

HB 1043, HB 1165, HB 1170, HB 1222, HB 1294, HB 1433 and HB 1453, as amended, were placed on the Eleventh order of business on the calendar.

## SIXTH ORDER OF BUSINESS

**HB 1430, as amended: REP. GALVIN (Government and Veterans Affairs Committee) MOVED** that the amendments be adopted with **DO PASS**, which motion prevailed on a verification vote.

## MOTION

**REP. MONSON MOVED** that the rules be suspended and that HB 1430, as amended, be placed on the Eleventh order for immediate second reading, which motion prevailed.

## SECOND READING OF HOUSE BILL

**HB 1430:** A BILL for an Act to amend and reenact subdivisions d and e of subsection 2 of section 16.1-07-15 of the North Dakota Century Code, relating to early voting.

## 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, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**NAYS:** Froelich; Schmidt; Thorpe

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

Engrossed HB 1430 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

**HB 1452, as amended: REP. L. MEIER (Government and Veterans Affairs Committee)**  
**MOVED** that the amendments be adopted with **DO PASS**, which motion prevailed on a verification vote.

#### MOTION

**REP. MONSON MOVED** that the rules be suspended and that HB 1452, as amended, be placed on the Eleventh order for immediate second reading, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1452:** A BILL for an Act to amend and reenact section 16.1-02-02, subsection 1 of section 16.1-02-03, and sections 16.1-02-07, 16.1-02-10, 16.1-02-12, and 16.1-02-13 of the North Dakota Century Code, relating to the central voter file; and to repeal section 16.1-02-08 of the North Dakota Century Code, relating to the central voter file.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**NAYS:** Conrad; Sandvig; Schmidt; Solberg; Thorpe

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

Engrossed HB 1452 passed and the title was agreed to.

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#### MOTION

**REP. MONSON MOVED** that a committee of two be appointed to escort Tom Cadmus, National Commander of the American Legion to the podium, which motion prevailed. The Speaker appointed Rep. Galvin and Rep. Metcalf to such committee.

#### REMARKS OF NATIONAL COMMANDER THOMAS P. CADMUS

House Speaker Klein, Majority Leader Berg, Minority Leader Boucher, Members of the North Dakota House of Representatives. . . Distinguished Guests, Ladies and Gentlemen. As I begin, let me take a moment to introduce members of the American Legion family who are with me today. The Commander of the North Dakota American Legion, Willis Pritchard. The American Legion Service Officer of the North Dakota American Legion, Jim Demero. The National Executive Committeeman for the American Legion of North Dakota, Curtis Twete.

I am honored to stand before you today. On behalf of the 23,000 Legionnaires here in North Dakota and the 2.7 million Legionnaires around the world, I want to thank each of you. The American Legion and the people of North Dakota have enjoyed a special camaraderie in working together to benefit communities around the state - particularly those programs that benefit North Dakota's youth. I don't know how many of you know it, but it was the American Legion that first offered the governor's job to John Hoeven. No, not state governor. Governor of American Legion Boy's State when he was a young high school student. Apparently he liked the opportunity.

Ever since, Governor Hoeven has been a strong supporter of the many programs of the American Legion and veterans of North Dakota. We are grateful to him for recording a public service announcement promoting the American Legion Boys State program to today's students across the state.

However, I am here today to personally thank each of you for your work in supporting veterans throughout the state. Caring for those who have gone in harms way on our own behalf is the least we can do. Terrorism remains alive and well. Its tentacles have reached out around the world. Bin Laden is still on our most wanted list. His people remain committed to kill as many of us as they can. Thank God there are brave young Americans stepping up to the plate, donning a military uniform, and willing to put all on the line to preserve our way of life, where ever necessary.

And sadly, almost daily, we learn that too many make the ultimate sacrifice for their country. For us. For freedom. For America. We must never forget them. We shall never forget them. But perhaps our most pressing responsibility is to make sure our warriors of today receive the benefits they earned and so richly deserve.

Recently, I visited Walter Reed Army Medical Center in Washington. I talked with young soldiers who had lost limbs in combat in Iraq. I was awestruck as each of them were proud to serve and wished only to return to their battle buddies in Iraq and Afghanistan. Sadly, many will be unable to continue their military careers. They will be discharged to return home. They will look to the Department of Veterans Affairs health care system to take up where the Department of Defense left off. The problem is, VA may not have the funding or resources to welcome them into the system. The current appropriations process is broken and not adequately funding VA medical care.

The American Legion and eight other veterans' organizations believe the answer lies in changing VA health care funding from discretionary to mandatory. We intend to devote all our efforts into working with the 109th Congress to bring this objective to fruition. Guaranteed full funding for the VA health care system is not about politics - it is a realization that taking care of America's sick and disabled veterans is a continuing cost of national defense.

I urge you to continue to ensure the North Dakota Department of Veterans Affairs will have the funding it needs to be there for those who have served in our armed forces. Since Company A, First Regiment of the North Dakota National Guard was organized in Bismarck, Dakota Territory, in 1883, North Dakotans have served with honor and distinction here at home and in each of our nation's armed conflicts. I am told that today, over half of North Dakota's National Guard have been activated and are continuing that legacy with courage and commitment. All of them are truly America's heroes. They are making North Dakota proud. They are making their fellow veterans of the American Legion very proud. And all of you are great Americans for your unwavering support of them and their families. I understand you are considering two bills for North Dakota National Guard veterans of military service in Iraq and Afghanistan. When young soldiers return home, they can really use two things: money and education.

In passing bills to authorize a cash bonus as well as a tuition offset for college, you are giving them a terrific tribute and a very tangible expression of appreciation for their service that they will never forget.

The American Legion applauds you for this action. These are important benefits that will be appreciated by the troops and will enable all North Dakotans to show their thanks to these outstanding citizen soldiers. Your support for all the veterans of North Dakota, of years past and present, has been a hallmark of this body. You have staunchly provided for North Dakota's veterans' cemeteries, a last tribute to their commitment to service. It is sincerely appreciated by those left behind to honor their memories.

Lastly, as you know, SJR 4, the flag protection amendment, was regrettably never brought to the floor of the United States Senate in the closing hours of the 108th Congress. I just wanted to let you know the American Legion will be back with the 109th Congress to finally get the measure passed into law. Why? Because it's the right thing to do. North Dakota was one of the first states to pass a "Memorializing Resolution" supporting an amendment to the U.S. Constitution to restore to Congress the right to protect the U.S. Flag from physical acts of desecration.

I am aware that you are ready to act once again when the U.S. House and U.S. Senate pass it in the 109th Congress and send it here for ratification. It is my belief that once the proposal finally gets to the states, it will become the quickest amendment ever ratified, and rightfully so.

And finally, if any of you are wartime veterans, I just happen to have American Legion application forms in my pocket. We'd love to have you join us. I thank you for all that you do for North Dakota, its veterans and their families. May God bless you as you continue the work of the people during this 59th legislative assembly.

**MOTION**

**REP. MONSON MOVED** that the remarks of Thomas P. Cadmus be printed in the Journal, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1025:** A BILL for an Act to amend and reenact section 57-15-06.10 of the North Dakota Century Code, relating to consolidation of county mill levies; 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 35 YEAS, 56 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boe; Brandenburg; Brusegaard; Carlson; Charging; Damschen; DeKrey; Delzer; Devlin; Froelich; Froseth; Galvin; Grande; Headland; Hunskor; Iverson; Johnson, D.; Kasper; Kreidt; Kretschmar; Meier, L.; Meyer, S.; Monson; Nicholas; Pietsch; Pollert; Porter; Sitte; Svedjan; Uglem; Vigasaa; Wrangham; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Bernstein; Boehning; Boucher; Carlisle; Clark; Conrad; Delmore; Dietrich; Dosch; Drovdal; Glassheim; Gulleson; Haas; Hanson; Hawken; Herbel; Horter; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kroeber; Maragos; Martinson; Metcalf; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Potter; Price; Ruby; Sandvig; Schmidt; Skarphol; Solberg; Thoreson; Thorpe; Timm; Wald; Wall; Weiler; Weisz; Wieland; Williams

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

Engrossed HB 1025 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1288:** A BILL for an Act to create and enact a new section to chapter 29-32.1 of the North Dakota Century Code, relating to the performance of DNA testing under the Uniform Post-Conviction Procedure Act.

**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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Amerman; Clark; Ekstrom; Rennerfeldt; Zaiser

HB 1288 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1209:** A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to nonfarm income limitations for the farm residence property tax exemption; 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 74 YEAS, 12 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boe; Boehning; Brandenburg; Brusegaard; Charging; Conrad; Damschen; Delmore; Delzer; Devlin; Dietrich; Dosch; Froelich; Froseth; Galvin; Glassheim; Guleson; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

**NAYS:** Bellew; Bernstein; Carlisle; Carlson; Drovda; Grande; Kelsch, R.; Klemin; Koppelman; Porter; Wall; Williams

**ABSENT AND NOT VOTING:** Amerman; Boucher; Clark; DeKrey; Ekstrom; Herbel; Rennerfeldt; Zaiser

HB 1209 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1250:** A BILL for an Act to provide a declaration of legislative intent relating to renovation of carnegie library at the university of North Dakota.

### 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, 89 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** DeKrey

**NAYS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Amerman; Ekstrom; Rennerfeldt; Zaiser

HB 1250 lost.

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### SECOND READING OF HOUSE BILL

**HB 1274:** A BILL for an Act to amend and reenact section 61-24.3-07 of the North Dakota Century Code, relating to southwest pipeline water delivery rates and charges for large industrial users; 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 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**NAYS:** Keiser; Kelsch, R.; Porter

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

HB 1274 passed, the title was agreed to, and the emergency clause was declared carried.

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#### MOTION

**REP. BERG MOVED** that HB 1297 be moved to the bottom of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1298:** A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm residence property tax exemption; 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 3 YEAS, 87 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Brandenburg; Froelich; Kretschmar

**NAYS:** Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Aarsvold; Ekstrom; Rennerfeldt; Zaiser

HB 1298 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1316:** A BILL for an Act to amend and reenact section 15.1-27-37 of the North Dakota Century Code, relating to reimbursement claims for teacher compensation.

#### 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 38 YEAS, 52 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Conrad; Delmore; Froelich; Glassheim; Hanson; Hawken; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Kelsh, S.; Kerzman; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Owens; Porter; Potter; Sandvig; Schmidt; Solberg; Thorpe; Wieland

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Grande; Guleson; Haas; Headland; Herbel; Horter; Iverson; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Kreidt; Norland; Onstad; Pietsch; Pollert; Price; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** DeKrey; Ekstrom; Rennerfeldt; Zaiser

HB 1316 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1371:** A BILL for an Act relating to organization and representation of political subdivision employees, collective bargaining between political subdivision employers and their employees, and establishment of an employment relations board.

**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 27 YEAS, 63 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Conrad; Delmore; Froelich; Glassheim; Gulleeson; Hanson; Hunsakor; Kaldor; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Maragos; Metcalf; Meyer, S.; Mueller; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Williams

**NAYS:** Bellew; Belter; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Martinson; Meier, L.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Berg; Ekstrom; Rennerfeldt; Zaiser

HB 1371 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1372:** A BILL for an Act to create and enact a new section to chapter 65-05.1 of the North Dakota Century Code, relating to workers' compensation rehabilitation services for job search and placement.

**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 24 YEAS, 66 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Conrad; Delmore; Froelich; Glassheim; Gulleeson; Hanson; Hunsakor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Meyer, S.; Mueller; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Williams

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Ekstrom; Metcalf; Rennerfeldt; Zaiser

HB 1372 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1376:** A BILL for an Act to create and enact chapter 26.1-53 of the North Dakota Century Code, relating to duties of providers and marketers of discount medical plans and cards.

**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, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter;

Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

HB 1376 passed and the title was agreed to.

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## SECOND READING OF HOUSE BILL

**HB 1385:** A BILL for an Act to amend and reenact sections 49-02-01.1 and 49-02-03 of the North Dakota Century Code, relating to pricing of electricity generated from wind resources.

## 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, 88 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Kelsh, S.

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Boehning; Ekstrom; Norland; Rennerfeldt; Zaiser

HB 1385 lost.

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## SECOND READING OF HOUSE BILL

**HB 1411:** A BILL for an Act to amend and reenact section 65-05-16 of the North Dakota Century Code, relating to workers' compensation death benefits.

## 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 23 YEAS, 68 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Conrad; Delmore; Froelich; Glassheim; Gulleon; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Maragos; Metcalf; Mueller; Onstad; Sandvig; Schmidt; Solberg; Thorpe

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovda; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Meyer, S.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

HB 1411 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1434:** A BILL for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota Century Code, relating to amendment of the state accountability plan under the No Child Left Behind Act.

**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, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horte; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

HB 1434 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1442:** A BILL for an Act to amend and reenact subsection 3 of section 50-06-05.3 and section 50-06-05.4 of the North Dakota Century Code, relating to the human service council of a human service center.

**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, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horte; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

HB 1442 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1477:** A BILL for an Act to provide for a transfer of a portion of Bank of North Dakota profits to the North Dakota development fund, incorporated.

**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 21 YEAS, 70 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Conrad; Gulleon; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Williams

**NAYS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

HB 1477 lost.

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### SECOND READING OF HOUSE BILL

**HB 1491:** A BILL for an Act to create and enact a new section to chapter 65-05.1 of the North Dakota Century Code, relating to the establishment of a workforce safety and insurance educational revolving loan fund; and to provide a continuing appropriation.

### 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, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Schmidt; Zaiser

HB 1491 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1504:** A BILL for an Act to amend and reenact subsection 27 of section 65-01-02 of the North Dakota Century Code, relating to workers' compensation coverage of marriage counseling.

### 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 84 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**NAYS:** Boehning; Carlson; DeKrey; Kelsch, R.; Porter; Price; Wald

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

HB 1504 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1129:** A BILL for an Act to amend and reenact subsections 4 and 5 of section 44-08-04 of the North Dakota Century Code, relating to the allowance for state officers and employees for meals outside the continental United States.

**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, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Froelich; Froseth; Galvin; Glassheim; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsaker; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Williams; Wrangham; Speaker Klein

**NAYS:** Boehning; Carlson; Grande; Porter; Wieland

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

HB 1129 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1309:** A BILL for an Act to amend and reenact sections 16.1-15-01 and 16.1-15-03 of the North Dakota Century Code, relating to counting of ballots; and to repeal section 16.1-12-06 of the North Dakota Century Code, relating to the nomination for elective office of an individual by more than one political party.

**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 23 YEAS, 68 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Brusegaard; Conrad; DeKrey; Glassheim; Gulleson; Hanson; Hawken; Hunsaker; Kaldor; Kelsch, S.; Kroeber; Metcalf; Mueller; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Weisz

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Damschen; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Froelich; Froseth; Galvin; Grande; Haas; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Meyer, S.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

HB 1309 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1176:** A BILL for an Act to amend and reenact section 10-04-02, subsection 1 of section 10-04-03, sections 10-04-05 and 10-04-06, subsections 2 and 3 of section 10-04-07.1, sections 10-04-08 and 10-04-08.3, subsection 2 of section 10-04-08.4, sections 10-04-09 and 10-04-10, subsections 1 and 2 of section 10-04-10.3, sections 10-04-11, 10-04-12, 10-04-15, and 10-04-16, subsection 1 of section 10-04-16.1, section 10-04-17, and subsections 1 and 2 of section 10-04-18 of the North Dakota Century Code, relating to definitions under the securities laws, securities exemptions and exempt transactions, registration and sale of securities, and registration of broker-dealers, agents, investment advisers, and investment adviser representatives;

and to repeal section 10-04-07 of the North Dakota Century Code, relating to securities registration by description.

#### 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, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**NAYS:** Carlson; Delzer; Maragos

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

Engrossed HB 1176 passed and the title was agreed to.

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#### MOTION

**REP. BOUCHER MOVED** that HB 1035 be returned to the House Floor from the Appropriations Committee for the purpose of rereferral, which motion failed by a recorded roll call vote.

#### ROLL CALL

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Conrad; Delmore; Froelich; Glassheim; Guleson; Hanson; Hunsakor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Williams

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Ekstrom; Rennerfeldt; Zaiser

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2041, SB 2102, SB 2135, SB 2149, SB 2165, SB 2166, SB 2211, SB 2219, SB 2237, SB 2260, SB 2298, SB 2302, SB 2311, SB 2334, SCR 4009.

#### MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1057, HB 1074, HB 1120, HB 1159, HB 1201, HB 1265, HB 1280, HB 1293, HB 1313, HB 1324, HB 1325, HB 1359, HB 1387, HB 1413, HB 1418.

#### MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1038, HB 1048.

#### MOTION

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

#### MOTION

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 2, 2005, which motion prevailed.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Reps. Kasper, Dosch, Iverson, Thoreson, Weiler introduced:

**HCR 3035:** A concurrent resolution for the amendment of section 25 of article XI of the Constitution of North Dakota, relating to internet live poker.

Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. Glassheim, Carlson, Skarphol and Sen. Grindberg introduced:

**HCR 3036:** A concurrent resolution directing the Legislative Council to study state agency and institution continuing appropriation authority.

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

Reps. R. Kelsch, Boucher, Kasper and Sens. Grindberg, O'Connell introduced:

**HCR 3037:** A concurrent resolution for the amendment of sections 1 and 2 of article IX of the Constitution of North Dakota, relating to distributions from and management of the common schools trust fund and the trust funds of other educational or charitable institutions; and to provide a contingent effective date.

Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. DeKrey, Horter, Porter and Sens. Klein, Robinson, Thane introduced:

**HCR 3038:** A concurrent resolution directing the Legislative Council to study organ and tissue donation and actions that may be taken at the regional, state, local, and private levels to increase organ and tissue donations.

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

**REPORT OF STANDING COMMITTEE**

**HB 1122: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1122 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1123: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1123 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1213: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1213 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "authorized" with "unauthorized" and after "license" insert "; and to declare an emergency"

Page 1, after line 8, insert:

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

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1363: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1363 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1364: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1364 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act relating to English pronunciation by faculty and teaching assistants."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:****SECTION 1. FACULTY - ENGLISH PRONUNCIATION - POLICY - REPORT.**

The state board of higher education shall create a policy for all institutions under its

control, relating to the assessment of faculty and teaching assistant communication skills, including the ability to speak English clearly and with good pronunciation, the notification to students of opportunities to file complaints, the process for responding to student complaints, and the resolution of reported communication problems. Before July 1, 2006, the state board of higher education shall report to the legislative council regarding implementation of the policy."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1365: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1365 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1373: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1373 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$1,160,000" with "\$1,315,000"

Page 1, line 12, replace "\$120,000" with "\$275,000"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1406: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1406 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1415: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1415 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1420: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1420 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1462: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1462 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1497: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1497 was placed on the Sixth order on the calendar.

Page 7, line 17, remove the overstrike over "~~principals~~"

Page 7, line 18, remove "principles"

Page 7, line 20, remove the overstrike over "~~principal~~" and remove "principle"

Page 7, line 24, remove the overstrike over "~~principal~~" and remove "principle"

Page 7, line 25, remove the overstrike over "~~principal~~" and remove "principle"

Page 8, line 17, remove the overstrike over "~~principal~~" and remove "principle"

Page 8, line 19, remove the overstrike over "~~principal~~" and remove "principle"

Page 9, line 29, replace "twenty" with "five"

Renumber accordingly

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

**Bradley C. Fay, Chief Clerk**

