

## JOURNAL OF THE HOUSE

## Fifty-ninth Legislative Assembly

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Bismarck, February 10, 2005

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

The prayer was offered by Rev. Bob Edwards, First Presbyterian Church, Minot.

The roll was called and all members were present.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER KLEIN DEEMED** approval of HB 1031 HB 1110, HB 1304, HB 1386, HB 1391, HB 1397, HB 1409, HB 1480, HB 1488, HB 1496, HCR 3011 and HCR 3032.

HCR 3011 and HCR 3032, as amended, were placed on the Tenth order of business on the calendar.

HB 1031, HB 1110, HB 1304, HB 1386, HB 1391, HB 1397, HB 1409, HB 1480, HB 1488 and HB 1496, as amended, were placed on the Eleventh order of business on the calendar.

## SECOND READING OF HOUSE BILL

**HB 1217:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to eligibility for medical assistance benefits and long-term care insurance; to provide for a report; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Ekstrom; 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; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

Engrossed HB 1217 passed and the title was agreed to.

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## SECOND READING OF HOUSE BILL

**HB 1381:** A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employees retirement system health insurance coverage of outpatient prescription drugs; and to provide an expiration 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 6 YEAS, 87 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Conrad; Ekstrom; Glassheim; Kaldor; Potter

**NAYS:** Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; 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; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Boe

HB 1381 lost.

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### SECOND READING OF HOUSE BILL

**HB 1379:** A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to curriculum-based achievement college entrance examinations.

### 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, 72 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Bernstein; Carlson; Galvin; Grande; Iverson; Kaldor; Kasper; Kempenich; Kerzman; Koppelman; Meier, L.; Ruby; Sitte; Skarphol; Thoreson; Thorpe; Wald; Wrangham; Speaker Klein

**NAYS:** Aarsvold; Amerman; Berg; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Solberg; Svedjan; Timm; Uglem; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Boe

HB 1379 lost.

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### SECOND READING OF HOUSE BILL

**HB 1384:** A BILL for an Act to create and enact a new section to chapter 47-05 of the North Dakota Century Code, relating to public utility easements.

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

**YEAS:** Damschen; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; 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; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Boe

HB 1384 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1395:** A BILL for an Act to amend and reenact section 20.1-02-24 of the North Dakota Century Code, relating to compensation of the members of the state game and fish advisory board.

**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, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Conrad; DeKrey; Delmore; Delzer; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleston; 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; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Bellew; Clark; Damschen; Devlin

**ABSENT AND NOT VOTING:** Boe

HB 1395 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1401:** A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota Century Code, relating to prohibiting an insurance company from requiring a social security number for insurance property and casualty or automobile coverage.

**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 30 YEAS, 63 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Conrad; Delmore; Ekstrom; Froelich; Galvin; Glassheim; Gulleston; Hunskor; Kaldor; Kelsh, S.; Kerzman; Koppelman; Kroeber; Metcalf; Meyer, S.; Mueller; Nelson; Onstad; Owens; Potter; Sandvig; Schmidt; Solberg; Thorpe; Williams; Wrangham; Zaiser

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

**ABSENT AND NOT VOTING:** Boe

HB 1401 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1403:** A BILL for an Act to amend and reenact subsection 2 of section 54-52.1-03.2 and subsection 3 of section 54-52.1-03.3 of the North Dakota Century Code, relating to use of the retiree health benefits fund credit to purchase health insurance.

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

**YEAS:** Maragos; Solberg; Thorpe

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; 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; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Boe; Williams

HB 1403 lost.

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### SECOND READING OF HOUSE BILL

**HB 1406:** A BILL for an Act to provide for workforce safety and insurance to study the workers' compensation treatment of retirement-age injured workers.

### 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 26 YEAS, 65 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**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; Martinson; Meier, L.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Boe; Hunskor; Maragos

HB 1406 lost.

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### SECOND READING OF HOUSE BILL

**HB 1407:** A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to a limitation on the expending of state funds to lobby the legislative assembly and the legislative council; 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 NOT PASS, the roll was called and there were 20 YEAS, 69 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Boehning; Carlson; Damschen; Delzer; Grande; Headland; Iverson; Kelsch, R.; Koppelman; Pietsch; Pollert; Porter; Ruby; Sitte; Skarphol; Thoreson; Wald; Weiler

**NAYS:** Aarsvold; Amerman; Bernstein; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Guleson; Haas; Hanson; Hawken; Herbel; Horter; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigasaa; Wall; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Berg; Boe; Hunskor; Maragos; Weisz

HB 1407 lost.

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### SECOND READING OF HOUSE BILL

**HB 1415:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-27.1-03.1 of the North Dakota Century Code, relating to the display of objectionable materials.

### 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 11 YEAS, 79 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Damschen; DeKrey; Dosch; Kelsch, R.; Kerzman; Meier, L.; Porter; Ruby; Sitte

**NAYS:** Aarsvold; Amerman; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Delmore; Delzer; Devlin; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Boe; Hunskor; Maragos; Wald

HB 1415 lost.

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### SECOND READING OF HOUSE BILL

**HB 1416:** A BILL for an Act to amend and reenact section 39-04-14 of the North Dakota Century Code, relating to the registration renewal date for certain vehicles.

### 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, 3 ABSENT AND NOT VOTING.

**YEAS:** Weiler; Wrangham

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; 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; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Boe; Maragos; Nicholas

HB 1416 lost.

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### SECOND READING OF HOUSE BILL

**HB 1446:** A BILL for an Act to provide an appropriation for property tax rebates to owners of agricultural or residential property.

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

**YEAS:** Aarsvold; Amerman; Bellew; Boucher; Charging; Ekstrom; Gulleeson; Hunskor; Kasper; Kempenich; Kerzman; Metcalf; Mueller; Onstad; Ruby; Sandvig; Schmidt; Solberg; Thorpe; Weiler; Zaiser

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

**ABSENT AND NOT VOTING:** Boe; Kaldor; Maragos; Nicholas

HB 1446 lost.

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### SECOND READING OF HOUSE BILL

**HB 1058:** A BILL for an Act to provide for a legislative council study of game and fish laws, rules, and proclamations.

### 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 70 YEAS, 20 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dosch; Drovdal; Froelich; Galvin; Glassheim; Grande; Gulleeson; Haas; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Meyer, S.; Monson; Nelson; Norland; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Sitte; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wall; Weiler; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Brusegaard; Carlson; Delzer; Dietrich; Ekstrom; Froseth; Hanson; Horter; Kempenich; Kroeber; Metcalf; Mueller; Nottestad; Onstad; Potter; Schmidt; Skarphol; Solberg; Wald; Wrangham

**ABSENT AND NOT VOTING:** Boe; Maragos; Nicholas; Weisz

Engrossed HB 1058 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1402:** A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to nonresident wild turkey permit fees; and to amend and reenact subsection 1 of section 20.1-03-07, subsection 11 of section 20.1-03-12, and section 20.1-04-07 of the North Dakota Century Code, relating to hunting of wild turkeys by nonresidents.

### 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 62 YEAS, 29 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Berg; Boehning; Boucher; Brandenburg; Brusegaard; Charging; Clark; Conrad; Damschen; DeKrey; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gulleeson; Haas; Headland; Herbel; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kroeber; Meier, L.; Meyer, S.; Monson; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Price; Rennerfeldt; Sandvig; Schmidt; Svedjan; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Aarsvold; Bellew; Belter; Bernstein; Carlisle; Carlson; Delmore; Delzer; Dietrich; Grande; Hanson; Hawken; Horter; Iverson; Kaldor; Kasper; Kelsch, R.; Kretschmar;

Martinson; Metcalf; Mueller; Porter; Potter; Ruby; Sitte; Skarphol; Thoreson; Weiler; Wrangham

**ABSENT AND NOT VOTING:** Boe; Maragos; Solberg

Engrossed HB 1402 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1461:** A BILL for an Act to amend and reenact sections 53-06.1-07.2 and 53-06.1-11 of the North Dakota Century Code, relating to poker and rent limits.

### 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 33 YEAS, 59 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Boehning; Carlisle; Conrad; Delmore; Dietrich; Dosch; Ekstrom; Froelich; Hawken; Headland; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Kretschmar; Meier, L.; Meyer, S.; Nelson; Nottestad; Owens; Porter; Sandvig; Thoreson; Timm; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boucher; Brandenburg; Brusegaard; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Drovda; Froseth; Galvin; Glassheim; Grande; Gullekson; Haas; Hanson; Herbel; Hunsakor; Kaldor; Keiser; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Metcalf; Monson; Mueller; Nicholas; Norland; Onstad; Pietsch; Pollert; Potter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Uglem; Vigasaa; Wald; Weisz; Speaker Klein

**ABSENT AND NOT VOTING:** Boe; Maragos

Engrossed HB 1461 lost.

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### SECOND READING OF HOUSE BILL

**HB 1223:** A BILL for an Act to create and enact a new section to chapter 53-10 and a new chapter to title 53 of the North Dakota Century Code, relating to liability for injury or damage incurred during equine activity and during activity involving livestock; and to amend and reenact section 53-10-02 of the North Dakota Century Code, relating to liability for injury or damage incurred during equine activity.

### 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 60 YEAS, 31 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Drovda; Ekstrom; Froelich; Froseth; Galvin; Gullekson; Hawken; Headland; Herbel; Horter; Hunsakor; Johnson, D.; Johnson, N.; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Kreidt; Kroeber; Metcalf; Meyer, S.; Mueller; Nelson; Nicholas; Norland; Onstad; Pietsch; Pollert; Potter; Rennerfeldt; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Uglem; Vigasaa; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Bellew; Boehning; Carlson; Delzer; Devlin; Dietrich; Dosch; Glassheim; Grande; Haas; Hanson; Iverson; Kaldor; Keiser; Kelsch, R.; Klemin; Koppelman; Kretschmar; Martinson; Meier, L.; Monson; Nottestad; Owens; Porter; Price; Ruby; Skarphol; Timm; Wald; Wall; Wrangham

**ABSENT AND NOT VOTING:** Amerman; Boe; Maragos

Engrossed HB 1223 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1225:** A BILL for an Act to amend and reenact subsection 3 of section 39-06-03 of the North Dakota Century Code, relating to individuals to whom motor vehicle operator's licenses may not be issued.

**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, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Amerman; Boe; Gulleeson; Maragos

Engrossed HB 1225 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1474:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 and a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax deduction for expenses and lost wages incurred by an individual who makes a donation of a human organ; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Amerman; Boe; Maragos

Engrossed HB 1474 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1268:** A BILL for an Act to create and enact a new subsection to section 57-60-01 of the North Dakota Century Code, relating to definitions for coal conversion facilities privilege tax purposes; to amend and reenact sections 57-39.2-04.2 and 57-40.2-04.2, subsection 3 of section 57-60-01, and section 57-60-02 of the North Dakota Century Code, relating to sales, use, and coal conversion facilities privilege tax exemptions and rate reductions for environmental upgrade and repowering of a power plant; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.



**YEAS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; 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; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Amerman; Boe; Maragos

Engrossed HB 1268 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1368:** A BILL for an Act to amend and reenact subsection 24 of section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales made to an emergency medical services provider; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; 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; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Amerman; Boe; Maragos

HB 1368 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1498:** A BILL for an Act to amend and reenact sections 57-39.2-04.2 and 57-40.2-04.2 of the North Dakota Century Code, relating to sales and use tax exemption for machinery, equipment, and related facilities for reducing emissions, increasing efficiency, or enhancing reliability of equipment of a new or existing oil refinery or gas processing plant; 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 90 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; 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; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Herbel

**ABSENT AND NOT VOTING:** Amerman; Boe; Maragos

Engrossed HB 1498 passed and the title was agreed to.

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### **SECOND READING OF HOUSE BILL**

**HB 1052:** A BILL for an Act to amend and reenact subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to the exclusion for capital gains under the simplified method of computing individual income tax; 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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellev; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovda; Ekstrom; 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; Martinson; Meier, L.; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; 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; Boe; Delzer; Maragos; Metcalf; Zaiser

Engrossed HB 1052 passed and the title was agreed to.

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### **SECOND READING OF HOUSE BILL**

**HB 1341:** A BILL for an Act to amend and reenact subsection 2 of section 54-44.4-05 and subsection 1 of section 54-44.4-09 of the North Dakota Century Code, relating to purchasing contracts and approved vendors for state commodities and services contracts.

### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellev; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; 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; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Amerman; Boe; Maragos

Engrossed HB 1341 passed and the title was agreed to.

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### **SECOND READING OF HOUSE BILL**

**HB 1347:** A BILL for an Act to amend and reenact section 34-14-02 of the North Dakota Century Code, relating to the payment of wages by stored-value card.

**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, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; 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; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Bellew; Damschen

**ABSENT AND NOT VOTING:** Amerman; Boe; Maragos

Engrossed HB 1347 passed and the title was agreed to.

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**MOTION**

**REP. MONSON MOVED** that HB 1314 be moved to the bottom of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1390:** A BILL for an Act to create and enact a new subsection to section 53-06.2-11 of the North Dakota Century Code, relating to transmissions of historic previously run horse and dog races; and to amend and reenact subsection 11 of section 53-06.2-01 of the North Dakota Century Code, relating to the definition of racing.

**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 45 YEAS, 46 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Berg; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Conrad; DeKrey; Delmore; Ekstrom; Froelich; Grande; Gulleson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kretschmar; Kroeber; Meyer, S.; Nelson; Nicholas; Norland; Nottestad; Onstad; Porter; Price; Sandvig; Schmidt; Solberg; Thoreson; Thorpe; Timm; Weisz; Williams; Zaiser

**NAYS:** Bellew; Belter; Bernstein; Brandenburg; Charging; Clark; Damschen; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Glassheim; Haas; Hanson; Herbel; Keiser; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Martinson; Meier, L.; Metcalf; Monson; Mueller; Owens; Pietsch; Pollert; Potter; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Uglem; Vigasaa; Wald; Wall; Weiler; Wieland; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Amerman; Boe; Maragos

Engrossed HB 1390 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1396:** A BILL for an Act to provide for a legislative council study.

**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 82 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Galvin; Glassheim; Gulleson; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemm;

Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Nelson; Nicholas; Norland; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Belter; Carlson; Froseth; Grande; Headland; Monson; Nottestad; Thoreson; Wald

**ABSENT AND NOT VOTING:** Amerman; Boe; Maragos

Engrossed HB 1396 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1486:** A BILL for an Act to create and enact a new section to chapter 27-20 of the North Dakota Century Code, relating to placement of juveniles in in-state residential care or residential treatment facilities; and to provide for a report.

### 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 54 YEAS, 38 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Berg; Boe; Boucher; Brandenburg; Brusegaard; Charging; Conrad; Delmore; Delzer; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Glassheim; Guleson; Haas; Hawken; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Onstad; Owens; Porter; Potter; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Wall; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Belter; Bernstein; Boehning; Carlisle; Carlson; Clark; Damschen; DeKrey; Devlin; Drovdal; Galvin; Grande; Hanson; Headland; Herbel; Horter; Iverson; Kasper; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Martinson; Nottestad; Pietsch; Pollert; Price; Rennerfeldt; Ruby; Sandvig; Svedjan; Timm; Uglem; Vigasaa; Wald; Weiler; Weisz

**ABSENT AND NOT VOTING:** Amerman; Maragos

Engrossed HB 1486 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1495:** A BILL for an Act to amend and reenact section 65-05-33 of the North Dakota Century Code, relating to workforce safety and insurance civil remedies in case of false statement or claim.

### 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, 63 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boe; Boucher; Charging; Conrad; Delmore; Ekstrom; Froelich; Galvin; Glassheim; Guleson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Meyer, S.; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Zaiser

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

**ABSENT AND NOT VOTING:** Amerman; Brusegaard; DeKrey; Koppelman; Maragos; Weisz; Williams

Engrossed HB 1495 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1508:** A BILL for an Act to amend and reenact section 57-38-29 and subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to individual income tax rates; to provide appropriations; 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 8 YEAS, 83 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Conrad; Ekstrom; Glassheim; Kaldor; Metcalf; Onstad; Zaiser

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

**ABSENT AND NOT VOTING:** Amerman; Maragos; Norland

HB 1508 lost.

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**MOTION**

**REP. BERG MOVED** that the House suspend Rule 329(4) with respect to House Bills, which motion prevailed.

**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 1366, HB 1514.

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

**MR. PRESIDENT:** The House wishes to inform the Senate that the House has voted to suspend Joint Rule 702, and that the House will be in recess on Monday and Tuesday, February 21 and 22, 2005.

**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 2099, SB 2107, SB 2160, SB 2170, SB 2196, SB 2225, SB 2335, SB 2359, SB 2368, SB 2388, SB 2390, SB 2393, SCR 4017, SCR 4020.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2067, SB 2227.

**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 12:30 p.m., Friday, February 11, 2005, which motion prevailed.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Conrad, Delmore, Dosch, Wieland and Sens. Fischer, Wardner introduced:

**HCR 3045:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of authorizing nonprofit organizations to participate in a government self-insurance pool.

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

**FIRST READING OF SENATE BILLS**

**SB 2036:** A BILL for an Act to amend and reenact section 54-44.1-11 of the North Dakota Century Code, relating to the cancellation of unexpended appropriations for the North Dakota university system; and to declare an emergency.

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

**SB 2039:** A BILL for an Act to amend and reenact section 54-03.1-02 of the North Dakota Century Code, relating to the meeting of the legislative organizational session.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2040:** A BILL for an Act to amend and reenact subdivisions a and b of subsection 1 of section 38-14.1-17 of the North Dakota Century Code, relating to notice of release of surface coal mining performance bonds.  
Was read the first time and referred to the **Natural Resources Committee**.

**SB 2041:** A BILL for an Act to create and enact a new subsection to section 20.1-01-02 and a new section to chapter 20.1-03 of the North Dakota Century Code, relating to hunting on Indian land; and to amend and reenact sections 20.1-04-06 and 20.1-05-03 of the North Dakota Century Code, relating to transportation of game and fish taken on Indian lands.  
Was read the first time and referred to the **Natural Resources Committee**.

**SB 2071:** A BILL for an Act to amend and reenact subsection 5 of section 54-10-28 of the North Dakota Century Code, relating to the duties of the state auditor.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2072:** A BILL for an Act to repeal section 54-10-17 of the North Dakota Century Code, relating to the maintenance of a county accounting manual by the state auditor.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2075:** A BILL for an Act to amend and reenact subsection 3 of section 54-44.3-07 of the North Dakota Century Code, relating to the filing of the personnel board's biennial report.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2086:** A BILL for an Act to amend and reenact section 52-08-13 of the North Dakota Century Code, relating to charging of fees for services; and to provide a continuing appropriation.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2088:** A BILL for an Act to amend and reenact sections 26.1-05-07, 26.1-13-02, 26.1-13-33, and 26.1-16-07 of the North Dakota Century Code, relating to review of insurance company articles of incorporation and amendments by the insurance commissioner.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2089:** A BILL for an Act to amend and reenact section 51-05.1-01.1 of the North Dakota Century Code, relating to revocation of auctioneer and clerk licenses.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2091:** A BILL for an Act to amend and reenact subsection 1 of section 49-21-04 of the North Dakota Century Code, relating to filing essential services price schedules by telecommunications companies.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2092:** A BILL for an Act to amend and reenact section 49-07-01.1 of the North Dakota Century Code, relating to violations of statutes, orders, or rules governing auctioneers and auction clerks; and to provide a penalty.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**SB 2093:** A BILL for an Act to amend and reenact section 26.1-07-05.1 and subsection 4 of section 26.1-10-03 of the North Dakota Century Code, relating to waiver of dissolution, merger, or acquisition hearings by the insurance commissioner.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

**SB 2095:** A BILL for an Act to amend and reenact section 15-08-18.1 of the North Dakota Century Code, relating to notice to county auditors when trust fund property is sold by contract.  
Was read the first time and referred to the **Political Subdivisions Committee**.

**SB 2097:** A BILL for an Act to amend and reenact section 15-05-18 of the North Dakota Century Code, relating to mineral leasing activities of the board of university and school lands.  
Was read the first time and referred to the **Natural Resources Committee**.

**SB 2098:** A BILL for an Act to amend and reenact sections 54-16-03.1 and 54-16-11.1 of the North Dakota Century Code, relating to filing of petitions with the emergency commission.

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

**SB 2100:** A BILL for an Act to amend and reenact subsection 33 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of resident for game and fish purposes.

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

**SB 2108:** A BILL for an Act to amend and reenact subsection 2 of section 52-04-07 and subsections 1 and 6 of section 52-06-02 of the North Dakota Century Code, relating to charging of certain benefit payments to reimbursing employers' accounts, charging of benefits to base period employers, and to the definition of a full-time student who would be disqualified from receiving benefits under the unemployment compensation insurance system.

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

**SB 2110:** A BILL for an Act to amend and reenact section 15.1-28-02 of the North Dakota Century Code, relating to removal of the duty of county treasurers to collect payments for the leasing of school lands.

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

**SB 2111:** A BILL for an Act to amend and reenact subsection 1 of section 47-30.1-22 of the North Dakota Century Code, relating to notice of sale of abandoned property by the unclaimed property administrator.

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

**SB 2116:** A BILL for an Act to create and enact section 10-15-01.1, a new subsection to section 10-15-36, a new subsection to section 10-15-54, and section 10-15-62 of the North Dakota Century Code, relating to legal recognition of electronic records and electronic signatures, exempting some information from open records laws, and fees for filing documents with the secretary of state; and to amend and reenact section 10-15-01 and subsection 1 of section 10-15-29 of the North Dakota Century Code, relating to definitions and officers of cooperative associations.

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

**SB 2159:** A BILL for an Act to create and enact a new section to chapter 50-24.1 and a new section to chapter 50-29 of the North Dakota Century Code, relating to interim final rules for medical assistance for needy persons and the children's health insurance program; and to declare an emergency.

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

**SB 2297:** A BILL for an Act to amend and reenact sections 54-56-03, 54-56-04, and 54-56-06 of the North Dakota Century Code, relating to the functions and duties of the children's services coordinating committee; and to repeal section 54-56-07 of the North Dakota Century Code, relating to the operating fund balance of the children's services coordinating committee.

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

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

**HB 1121: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1121 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "a new section to chapter 14-09 and"

Page 1, line 2, after the first "to" insert "the termination of parental rights and"

Page 1, line 3, remove "and" and after "14-15-11" insert ", section 14-19-05, and subsection 5 of section 23-02.1-13"

Page 1, line 5, remove "14-19-05,"

Page 1, after line 21, insert:

**"SECTION 2.** A new section to chapter 14-09 of the North Dakota Century Code is created and enacted as follows:

Termination of parental rights - Duty of support. A termination of parental rights does not terminate the duty of either parent to support the child before the child's adoption unless that duty is specially terminated by order of the court after notice of a proposed termination or relinquishment is given to the department of human services in the manner appropriate for the service of process in a civil action in this state. A termination of a child support obligation under this section does not relieve a parent of the duty to pay any unpaid child support."

Page 3, after line 8, insert:

**"SECTION 5. AMENDMENT.** Section 14-19-05 of the North Dakota Century Code is amended and reenacted as follows:

**14-19-05. Filing of acknowledgment.** An acknowledgment of paternity made under this chapter 14-20 must be filed with the state department of health on a form approved by the department, which must include the social security number of the parents and any other information required by the secretary of the United States department of health and human services. Upon request of the department, the state department of health shall furnish a certified copy of an acknowledgment of paternity to the department."

Page 4, line 2, after "district" insert "court"

Page 8, line 21, replace "two years" with "one year"

Page 9, after line 23, insert:

"5. An acknowledgment of paternity or denial of paternity may be completed for a child who was not born in this state."

Page 9, line 28, after "parent" insert "and must be recognized as a basis for a support order in any proceeding to establish, enforce, or modify a support order"

Page 10, line 18, replace "two years" with "one year"

Page 15, line 6, remove the third "to"

Page 17, after line 18, insert:

"3. For purposes of this section and section 14-20-43, an action to establish support for a child is a proceeding to adjudicate parentage if the child's presumed father raises nonpaternity as a defense to the action."

Page 20, line 25, after "court" insert ", the court"

Page 22, after line 23, insert:

"3. The order must include the social security numbers of the child and the individuals determined to be the child's parents."

4. The order may contain any other provision in the best interest of the child, including payment of support, payment of expenses of the mother's pregnancy and confinement, custody of the child, visitation with the child, and furnishing of bond or other security for payment of support. A support order must be for a monthly payment in an amount consistent with the guidelines established under section 14-09-09.7 and must be subject to section 14-09-08.1. All remedies for the enforcement of support, custody, and visitation orders apply. The court has continuing jurisdiction to modify an order for future support and, subject to section 14-09-09.6, custody of and visitation with the child."

Page 22, line 24, replace "3." with "5." and replace "4" with "6"

Page 22, line 30, replace "4." with "6."

Page 23, line 1, replace "5." with "7."

Page 23, line 3, replace "6." with "8."



Page 23, after line 4, insert:

- "9. An order adjudicating parentage must be filed with the state department of health."

Page 23, line 26, after "child" insert ", custody of the child, or visitation with the child"

Page 24, after line 2, insert:

"14-20-58.1. Liability for collection of support.

1. As used in this section, "former parent" means an acknowledged father who successfully rescinded or challenged an acknowledgment of paternity under this chapter, a presumed father whose parentage was successfully rebutted under this chapter, or an adjudicated father whose parentage was disestablished after an order issued under this chapter was vacated.
2. The state is not liable for child support that was collected from or on behalf of a former parent and disbursed to an obligee as defined in section 14-09-09.10.
3. The state is not liable for child support that was collected from or on behalf of a former parent and retained by the state unless ordered by a court after being presented with genetic test results that would otherwise be admissible under this chapter showing that the former parent is not the genetic parent of the child."

Page 25, after line 22, insert:

**"SECTION 7. AMENDMENT.** Subsection 5 of section 23-02.1-13 of the North Dakota Century Code is amended and reenacted as follows:

5. If the child is not born during the marriage of the mother, or within three hundred days after a marriage is terminated by death, annulment, declaration of invalidity, or divorce, or after a decree of separation is entered by a court, the name of the father may not be entered on the birth certificate unless:
  - a. After the child's birth, the father and the child's natural mother have married, or attempted to marry, each other by a marriage solemnized in apparent compliance with law, although the attempted marriage is or could be declared invalid, and:
    - (1) He has acknowledged his paternity of the child in writing filed with the state registrar;
    - (2) With his consent, he is named as the child's father on the child's birth certificate; or
    - (3) He is obligated to support the child under a written voluntary promise or by court order;
  - b. ~~While the child is under the age of majority, he received the child into his home and openly holds out the child as his natural child;~~
  - e. After the child's birth, the child's natural mother and the father voluntarily acknowledge the child's paternity in a writing signed by both and filed with the state registrar; or
  - ~~d. c.~~ c. A court or other entity of competent jurisdiction has adjudicated paternity."

Page 25, line 24, remove "14-19-05,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1157: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1157 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "an" with "a contingent"

Page 1, line 4, after the first boldfaced period insert "**CONTINGENT**" and remove "- DEBIT CARDS"

Page 1, line 5, replace "There" with "If the March general fund revenue forecast for the 2005-07 biennium meets or exceeds general fund revenues as estimated for the 2005-07 biennium in the executive budget submitted for the fifty-ninth legislative assembly, there"

Page 1, line 7, after "of" insert "distributing"

Page 1, remove lines 18 through 22

Page 2, remove lines 1 through 3

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1351: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1351 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1380: Political Subdivisions Committee (Rep. Devlin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1380 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "three" with "two"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1383: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1383 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and"

Page 1, line 4, after "beverages" insert "; and to declare an emergency"

Page 1, line 24, overstrike "and" and insert immediately thereafter an underscored comma

Page 2, line 1, remove "determining whether licensees may dispense or permit the consumption of"

Page 2, line 2, remove "alcoholic beverages after one a.m. and until two a.m. subject to section 5-02-05,"

Page 2, after line 3, insert:

**"SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1473: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1473 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "prison" with "incarceration" and after the semicolon insert "and"

Page 1, line 2, remove "; and to provide an expiration date"

Page 1, line 4, replace "**prison**" with "**incarceration**"

Page 1, line 5, replace "prison" with "incarceration" and replace "twenty" with "eighteen"

Page 1, line 7, replace "Five" with "Three", replace "two" with "one", and after "be" insert "an"

Page 1, line 8, replace "researchers" with "researcher" and replace "prisons or prisoner behavior" with "criminal justice sentencing practices and sentencing alternatives"

Page 1, line 10, replace "The" with "Two members appointed by the" and remove "or the chief justice's designee"

Page 1, line 12, after "e." insert "The director of the department of human services; f.", replace "Two" with "One", replace "officers" with "officer", and replace "attorney general" with "peace officers association"

Page 1, line 13, replace "f." with "g. One state's attorney appointed by the North Dakota state's attorney's association;

h."

Page 1, line 17, replace "g." with "i."

Page 1, line 20, replace "h." with "j."

Page 1, line 21, after the semicolon insert "and"

Page 1, line 22, replace "i." with "k."

Page 1, line 23, remove "; and"

Page 2, remove line 1

Page 2, line 2, remove "and rehabilitation"

Page 2, line 5, replace "least four times at such" with "the"

Page 2, line 9, replace "expansion" with "expanded use" and replace "drug" with "problemsolving"

Page 2, line 12, remove "make a"

Page 2, line 13, remove "final" and remove "of"

Page 2, line 14, remove "at its"

Page 2, line 15, remove "biennial meeting in November 2006"

Page 3, remove lines 3 and 4

Renumber accordingly

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

**HB 1389, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1389 was placed on the Sixth order on the calendar.

Page 2, line 25, remove the overstrike over "~~and breakage~~"

Renumber accordingly

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

**HB 1483: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1483 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1484: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1484 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "seven" with "three"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1505: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1505 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to amend and reenact subsection 9 of section 12.1-32-02 of the North Dakota Century Code, relating to sentencing alternatives; and"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 9 of section 12.1-32-02 of the North Dakota Century Code is amended and reenacted as follows:

9. A person who is convicted of a felony and sentenced to imprisonment for not more than one year is deemed to have been convicted of a misdemeanor. However, if an order is entered revoking a probation imposed as a part of the sentence, the person is deemed to have been convicted of a felony. This subsection does not apply to a person convicted of violating subdivision a, b, or c of subsection 1 of section 19-03.1-23 or section 62.1-02-01."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1520: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1520 was placed on the Sixth order on the calendar.

Page 2, line 2, remove "defendant shall surrender any license or permit to"

Page 2, line 3, remove "operate a motor vehicle to the court. The" and replace "forward the license or permit" with "notify"

Page 2, line 4, remove "to" and replace "with notification" with "of transportation"

Page 2, line 5, after "license" insert "to operate a motor vehicle"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3022: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (9 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3022 was placed on the Tenth order on the calendar.

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

**Bradley C. Fay, Chief Clerk**