

JOURNAL OF THE HOUSE

Fifty-ninth Legislative Assembly

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Bismarck, March 14, 2005

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

The prayer was offered by Pastor Peter Young, United Parish, Hillsboro.

The roll was called and all members were present except Representatives Boe, Charging, Kempenich, Maragos, Rennerfeldt, Sandvig, and Solberg.

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on March 14, 2005, I have signed the following: HB 1096, HB 1145, HB 1217, HB 1253, HB 1287, HB 1288, HB 1315, and HB 1474.

MOTION

REP. MONSON MOVED that HB 1223 be rereferred to the **Agriculture Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, HB 1223 was rereferred.

POINT OF PERSONAL PRIVILEGE

REP. R. KELSCH: Mr. Speaker: I rise on a point of personal privilege.

PROCLAMATION:**Honoring the Mandan High School Girls Basketball Team for Winning its Third Straight State "Class A" Basketball Championship.**

The Mandan Braves Girls Basketball Team won its Third - Straight North Dakota Class A Basketball Championship, on Saturday March 12, 2005. Rep. Todd Porter and myself, a mother of a member of this team, are proud to honor both the team and the Mandan girls basketball program. This year the Mandan Braves posted a record of 23 wins and 2 losses. In the Championship Game, Mandan avenged those two losses by beating Bismarck Century 48-35.

Mandan Coach Greg Amundson and the Mandan Girls Basketball team have been in 9 out of the last 10 State Championship games, winning its 5th Championship in the last 6 years. With this win, Mandan tied Fargo Shanley with the most girl's basketball championships (6), and tied Williston with the most consecutive championships (3).

Mandan Senior Rebecca Kielpinski, who helped Mandan win the three championships, averaged 15.4 points and 8 rebounds per game this year and was named North Dakota Miss Basketball.

District 34, the City of Mandan, and the State of North Dakota is very proud of each of you and your accomplishments. Congratulations to the Mandan Girls Basketball team on your back to back, and back again, State Championship.

REQUEST

REP. MONSON REQUESTED that her remarks be printed in the Journal, which request was granted.

POINT OF PERSONAL PRIVILEGE

REP. DOSCH: Mr. Speaker: I rise on a point of personal privilege.

The Class A Boys State Basketball Championship was held on Saturday night, March 12, 2005 in Fargo, and I'm pleased to say that the Bismarck Demons were crowned State Champions in their 68-54 victory over the Fargo North Spartans.

The state title was Bismarck's 10th, and Demons 4th under Coach Miller. Bismarck's last championship was in 2001.

The game proved to be an exceptional High School sporting event, showing the quality and character of athletes in our ND schools. We are proud of, not only the Demons and Spartans,

but all of our State's High School students who represent the quality of our youth, and future of ND.

So again, please join me in congratulating the Bismarck Demons, in their 2005 State Class A Basketball Championship. Thank you.

REQUEST

REP. MONSON REQUESTED that his remarks be printed in the Journal, which request was granted.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4038: A concurrent resolution urging the Administration and Congress to enact promptly a well-funded and multiyear reauthorization of highway and transit programs. Was read the first time.

MOTION

REP. MONSON MOVED that the rules be suspended, that SCR 4038 not be printed, not be referred to committee, but be read in its entirety be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Sens. Stenehjem, Grindberg, O'Connell and Reps. Berg, Boucher, Klein introduced:

SENATE CONCURRENT RESOLUTION NO. 4038

A concurrent resolution urging the Administration and Congress to enact promptly a well-funded and multiyear reauthorization of highway and transit programs.

WHEREAS, the Transportation Equity Act of the 21st Century (TEA-21), authorizing funding for federal-aid highway, transit, and safety programs, expired on September 30, 2003; and

WHEREAS, federal aid has continued to be passed on to the states through a series of short-term extensions; and

WHEREAS, the short-term program extensions enacted by Congress have forced states and localities to delay construction of critical highway and transit projects, including safety improvements; and

WHEREAS, further delay will increase project costs and further dilute the purchasing power of federal transportation dollars; and

WHEREAS, a well-funded federal-aid highway and transit program is essential to the economy and quality of life in North Dakota by creating and maintaining jobs in North Dakota, facilitating commerce, and enabling North Dakotans to travel safely for business and personal activities; and

WHEREAS, the formula for distribution of funds in TEA-21 provided a substantial net influx of federal transportation funds to North Dakota, which is essential and proper because our state has long stretches of federal highways and relatively few citizens to finance, maintain, and improve these highways;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-ninth Legislative Assembly urges the Administration and Congress to enact promptly a well-funded and multiyear reauthorization of highway and transit programs; and

BE IT FURTHER RESOLVED, that under any federal funding, North Dakota's share of overall program funds be at least as favorable as the state's share under TEA-21; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, to the Secretary of the United States Department of Transportation, and to each member of the North Dakota Congressional Delegation.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4038: A concurrent resolution urging the Administration and Congress to enact promptly a well-funded and multiyear reauthorization of highway and transit programs.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; 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.; Kelsch, S.; 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; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Rennerfeldt; Sandvig; Solberg

SCR 4038 was declared adopted on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1523: A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to creation of a legislative council workers' compensation review committee; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 3 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Carlson; Delzer; Wald

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Rennerfeldt; Sandvig; Solberg

Engrossed HB 1523 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2181: A BILL for an Act to amend and reenact section 28-20-22 of the North Dakota Century Code, relating to a judgment affidavit of renewal.

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; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Rennerfeldt; Sandvig; Solberg

Engrossed SB 2181 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2335: A BILL for an Act to create and enact chapter 51-29 of the North Dakota Century Code, relating to gift certificate sales, expiration dates, and service or maintenance fees; to provide a penalty; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleason; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Rennerfeldt; Sandvig; Solberg

Engrossed SB 2335 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2133: A BILL for an Act to amend and reenact section 49-22-22 of the North Dakota Century Code, relating to energy conversion and transmission facility siting process expense recovery and to creation of a special fund; to provide an appropriation; to provide a continuing appropriation; to provide for retroactive application; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleason; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Rennerfeldt; Sandvig; Solberg

Engrossed SB 2133 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2183: A BILL for an Act to amend and reenact section 40-50.1-03 of the North Dakota Century Code, relating to certification of townsite or subdivision plats.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleason; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Schmidt; Sitte;

Skarphol; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Rennerfeldt; Sandvig; Solberg

Engrossed SB 2183 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2076: A BILL for an Act to amend and reenact subsection 2 of section 15-10-19.1 of the North Dakota Century Code, relating to the definition of resident student for tuition purposes.

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, 18 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Clark; Conrad; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pollert; Porter; Potter; Price; Schmidt; Sitte; Thorpe; Timm; Uglem; Wall; Wieland; Williams; Zaiser; Speaker Klein

NAYS: Bellew; Belter; Carlson; Delzer; Devlin; Grande; Kasper; Kreidt; Pietsch; Ruby; Skarphol; Svedjan; Thoreson; Vigesaa; Wald; Weiler; Weisz; Wrangham

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Rennerfeldt; Sandvig; Solberg

SB 2076 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2073: A BILL for an Act to create and enact a new subsection to section 43-48-03 of the North Dakota Century Code, relating to exemptions from clinical laboratory personnel licensures; and to amend and reenact subsection 6 of section 43-48-03 of the North Dakota Century Code, relating to clinical laboratory personnel licensure.

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; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Rennerfeldt; Sandvig; Solberg

Engrossed SB 2073 passed and the title was agreed to.

MOTION

REP. MONSON MOVED that the House stand in recess until 4:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Klein presiding.

SECOND READING OF SENATE BILL

SB 2246: A BILL for an Act to amend and reenact section 39-18-03.2 of the North Dakota Century Code, relating to park model trailers; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 1 NAY, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; 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; Kelsh, S.; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Ekstrom

ABSENT AND NOT VOTING: Charging; Kelsch, R.; Kempenich; Maragos; Onstad; Price; Sandvig; Solberg; Thorpe

Engrossed SB 2246 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2325: A BILL for an Act to amend and reenact section 54-21.3-08 of the North Dakota Century Code, relating to installation of manufactured homes; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 1 NAY, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; 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; Kelsh, S.; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

NAYS: Wrangham

ABSENT AND NOT VOTING: Charging; Kelsch, R.; Kempenich; Maragos; Onstad; Price; Sandvig; Solberg; Thorpe

Engrossed SB 2325 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2353: A BILL for an Act to amend and reenact sections 44-06-02, 44-06-13, and 44-06-13.1 of the North Dakota Century Code, relating to regulation of notaries public.

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, 23 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Ekstrom;

Froseth; Galvin; Glassheim; Grande; Haas; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Klemin; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Porter; Potter; Schmidt; Sitte; Svedjan; Uglem; Vigasaa; Wall; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Bellew; Belter; Carlson; Delzer; Drovdal; Froelich; Gulleeson; Hanson; Herbel; Kasper; Kerzman; Kingsbury; Koppelman; Kroeber; Meyer, S.; Pollert; Rennerfeldt; Ruby; Skarphol; Thoreson; Timm; Wald; Weiler

ABSENT AND NOT VOTING: Boe; Charging; Kempenich; Maragos; Onstad; Price; Sandvig; Solberg; Thorpe

Engrossed SB 2353 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2392: A BILL for an Act to amend and reenact section 57-40.5-02 of the North Dakota Century Code, relating to the aircraft excise tax rate for vintage aircraft for display at a museum or airshow; 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 32 YEAS, 54 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Conrad; Delmore; Ekstrom; Froelich; Galvin; Grande; Gulleeson; Hawken; Headland; Hunskor; Iverson; Johnson, N.; Kaldor; Kelsh, S.; Kerzman; Kroeber; Meyer, S.; Owens; Schmidt; Uglem; Wieland; Zaiser; Speaker Klein

NAYS: Bellew; Brusegaard; Carlisle; Carlson; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Glassheim; Haas; Hanson; Herbel; Horter; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Vigasaa; Wald; Wall; Weiler; Weisz; Williams; Wrangham

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Onstad; Price; Sandvig; Solberg; Thorpe

Engrossed SB 2392 lost.

SECOND READING OF SENATE BILL

SB 2050: A BILL for an Act to amend and reenact section 3 of chapter 538 of the 2003 Session Laws and section 26 of chapter 539 of the 2003 Session Laws, relating to the implementation date for streamlined sales and use tax agreement compliance; 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 77 YEAS, 9 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Clark; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Schmidt; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Bellew; Brusegaard; Iverson; Kasper; Koppelman; Martinson; Ruby; Sitte; Skarphol

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Onstad; Price; Sandvig; Solberg; Thorpe

SB 2050 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2359: A BILL for an Act to amend and reenact subsection 2 of section 57-39.2-11, subsection 1 of section 57-39.2-12.1, and subsection 1 of section 57-40.2-07.1 of the North Dakota Century Code, relating to compensation of a certified service provider under streamlined sales tax collection agreements; 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 76 YEAS, 10 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Carlisle; Clark; Damschen; 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; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Schmidt; Sitte; Svedjan; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Bellew; Brusegaard; Carlson; Conrad; DeKrey; Kasper; Nelson; Ruby; Skarphol; Thoreson

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Onstad; Price; Sandvig; Solberg; Thorpe

SB 2359 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2362: A BILL for an Act to amend and reenact subdivision u of subsection 1 of section 57-38-01.2 and subdivision g of subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax deduction for income of national guard and reserve volunteers for federal active duty; 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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; 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.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Onstad; Sandvig; Solberg; Thorpe

SB 2362 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2393: A BILL for an Act to provide for a legislative council study of sales, use, and gross receipts tax exemptions and rate reductions.

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 67 YEAS, 20 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Carlisle; Carlson; Clark; Damschen; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Herbel; Horter; Hunsakor; Iverson; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Norland; Owens; Pietsch; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Svedjan; Thoreson; Timm; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Speaker Klein

NAYS: Brandenburg; Brusegaard; Conrad; DeKrey; Delzer; Froelich; Froseth; Headland; Johnson, D.; Kerzman; Meyer, S.; Nelson; Nicholas; Nottestad; Pollert; Skarphol; Uglem; Weisz; Wrangham; Zaiser

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Onstad; Sandvig; Solberg; Thorpe

Engrossed SB 2393 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2112: A BILL for an Act to amend and reenact sections 23-06.2-01, 23-06.2-02, and 39-06-03.1 of the North Dakota Century Code, relating to identification as an organ donor on nondriver photo identification 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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; 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.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Onstad; Sandvig; Solberg; Thorpe

SB 2112 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2049: A BILL for an Act to create and enact a new section to chapter 39-21 and a new section to chapter 51-07 of the North Dakota Century Code, relating to a traffic control signal preemption device; to amend and reenact section 39-06.1-05 of the North Dakota Century Code, relating to offenses excepted from the administrative traffic procedures; 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 4 YEAS, 83 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Boe; Johnson, N.; Meier, L.; Thoreson

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; 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.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Svedjan; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Charging; Kempenich; Maragos; Onstad; Sandvig; Solberg; Thorpe

SB 2049 lost.

SECOND READING OF SENATE BILL

SB 2099: A BILL for an Act to amend and reenact sections 39-06-30 and 39-06-34, subsection 1 of section 39-06-42, sections 39-16-03.1 and 39-20-01, subsection 2 of section 39-20-04, and subsection 1 of section 39-20-04.1 of the North Dakota Century Code, relating to the meaning of the term conviction, time required for a decision after a hearing, driving while license is suspended, when entries on a driving record are confidential, the implied consent advisory for refusal to submit to alcohol test, procedure to negate effect of a refusal, and suspension of person under twenty-one years of age for driving with a prohibited alcohol concentration; and to repeal sections 39-16-30 and 39-16.1-21 of the North Dakota Century Code, relating to driving while a license is suspended.

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 68 YEAS, 18 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Galvin; Glassheim; Guleson; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Svedjan; Uglem; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

NAYS: Bellew; Carlson; Clark; Delzer; Froelich; Froseth; Grande; Headland; Kasper; Kerzman; Meyer, S.; Monson; Pollert; Skarphol; Thoreson; Timm; Wald; Wrangham

ABSENT AND NOT VOTING: Boe; Charging; Kempenich; Maragos; Onstad; Sandvig; Solberg; Thorpe

Engrossed SB 2099 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

SCR 4021: A concurrent resolution urging Congress to allow for the travel of United States citizens to and from Cuba and to allow direct banking transfers between the United States and Cuba for the purchase of American-made products by Cuba.

SCR 4023: A concurrent resolution expressing the Legislative Assembly's commendation and support for the efforts of the Lake Agassiz Water Authority to deliver water to eastern North Dakota.

SCR 4026: A concurrent resolution urging Congress to enact legislation to address the adverse economic impact on businesses and the economic health of North Dakota caused by the low water levels of the federally managed reservoirs on the Missouri River in North Dakota.

The question being on the final adoption of the resolutions, which have been read.

SCR 4021, SCR 4023, and SCR 4026 were declared adopted on a voice vote, and the titles were agreed to.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**MR. PRESIDENT:** The House has amended and passed: SB 2125, SB 2232, SB 2298.**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)****MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2248.**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)****MR. PRESIDENT:** The House has passed unchanged: SCR 4038.**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)****MR. PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1048, HB 1112, HB 1113, HB 1142, HB 1198, HB 1202, HB 1233, HB 1260, HCR 3001, HCR 3022.**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)****MR. PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1057, HB 1159, HB 1179, HB 1194, HB 1213, HB 1240, HB 1268, HB 1278, HB 1336, HB 1506.**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)****MR. SPEAKER:** The Senate has passed unchanged: HB 1106, HB 1149, HB 1176, HB 1429, HB 1430, HB 1432, HCR 3010, HCR 3019.**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)****MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1327.**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)****MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1074, HB 1312, HB 1324, HB 1325.**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1074**

Page 2, line 12, replace "shall" with "may"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1312Page 3, line 17, after the underscored period insert "If the judgment is not collected within three years, the judgment expires."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1324

Page 2, after line 19, insert:

"6. This section applies only if the energy conversion facility, renewable energy facility, transmission facility, or facility generating the energy to be purchased is located in this state."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1325Page 3, line 1, replace "pursuant to" with "under"Page 3, line 11, after the underscored period insert "A person in another state may not sell wine for shipment to a person in this state under this subsection in an amount in excess of 7.13 gallons [27 liters] of wine per month." and after "and" insert "interstate"Page 3, line 14, remove "Sales under this subsection are"

Page 3, remove line 15

Renumber accordingly

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Thirteenth, and Fourteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, March 15, 2005, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1525: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1525 was placed on the Sixth order on the calendar.

Page 1, line 17, remove "the central business district of"

Page 2, line 5, overstrike "use primarily for"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1528: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1528 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 to provide for inspection and repair recommendations for the veterans' memorial on the capitol grounds."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Legislative management committee - Inspection and recommendation on veterans' memorial. Before September 1, 2005, the legislative management committee of the legislative council shall visit and inspect the veterans' memorial on the capitol grounds and make recommendations for repairs and updates to the facility management division of the office of management and budget."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2026, as engrossed: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2026 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and" and after "penalty" insert "; and to declare an emergency"

Page 1, line 20, overstrike "insurance indicating liability coverage, as"

Page 1, line 21, overstrike "proof that the applicant has secured" and after the first "a" insert "surety"

Page 2, line 1, after "a" insert "surety"

Page 2, line 2, after the first "the" insert "surety"

Page 2, line 3, after the first underscored period insert "The surety bond or letter of credit must be conditioned for the payment by the contractor of liability imposed upon the contractor and must provide coverage substantially similar to that provided by liability insurance."

Page 2, line 29, after the second "a" insert "surety"

Page 3, line 31, overstrike "insurance"

Page 4, line 1, overstrike "indicating liability coverage as proof that the applicant has secured"

Page 4, line 2, after "a" insert "surety"

Page 4, line 3, after "credit" insert ", as required by section 43-07-04"

Page 5, line 11, after "excuse" insert "after a deposit of money or other consideration has been provided to the licensee"

Page 6, after line 29, insert:

"SECTION 6. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2082, as engrossed: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2082 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2132, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2132 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2150, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2150 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2201: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2201 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2205: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2205 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 2 of section 39-24-03," and after "39-24-09" insert a comma

Page 1, line 2, after "to" insert "snowmobile registration and"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Subsection 2 of section 39-24-03 of the North Dakota Century Code is amended and reenacted as follows:

2. Upon receipt of the application and the appropriate fee, the department shall register a snowmobile and assign a registration number and a certificate of registration. The registration number must be at least one and one-half inches [3.81 centimeters] in height and of a reflectorized material and must be securely affixed on each side of the ~~forward half of the~~ snowmobile in a position as to provide clear legibility for identification. The certificate of registration must include information regarding the make, year, serial number, and name and address of the owner. The fee for registration of each snowmobile must be five dollars for any portion of the registration period and the registration period is for two years beginning October first of each odd-numbered year. The fee for a duplicate or replacement registration number or registration card which is lost, mutilated, or becomes illegible may not exceed five dollars. In addition, in each year that fees are collected for the unsatisfied judgment fund there must be assessed a fee of one dollar per year for each snowmobile registered, which must be placed in the unsatisfied judgment fund. For each snowmobile registered under the provisions of this chapter, there must be assessed a snowmobile trail tax in the amount of thirty-five dollars."

Page 1, line 16, overstrike "to operate a snowmobile", remove "or operates the snowmobile", and overstrike "upon the lands"

Page 1, line 17, overstrike "of the", remove "individual's", and overstrike "parent or guardian" and insert immediately thereafter "operates the snowmobile on private land"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2252: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2252 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2256: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2256 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "Fifteen" with "The total number of statewide nonresident waterfowl hunting licenses issued may not exceed one-half of the total nonresident waterfowl hunting licenses issued. Eighty-five"

Page 2, line 12, replace "Fifteen" with "The total number of statewide nonresident waterfowl hunting licenses issued may not exceed one-half of the total nonresident waterfowl hunting licenses issued. Eighty-five"

Page 2, line 20, after "hundred" insert "seventy"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2271: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). SB 2271 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2282, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2282 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "26.1-12" with "26.1-36"

Page 1, line 2, replace "nonprofit mutual insurance company" with "accident and health insurance issuer"

Page 1, line 5, replace "26.1-12" with "26.1-36"

Page 1, line 7, replace "A nonprofit mutual" with "Every" and after "company" insert ", nonprofit health service corporation, and health maintenance organization"

Page 1, line 9, after "rendered" insert "under the line of insurance"

Page 1, line 10, after the period insert "For purposes of this section, "independent external review" means a review conducted by the North Dakota health care review, inc., another peer review organization meeting the requirements of section 1152 of the Social Security Act, or any person designated by the commissioner to conduct an independent external review. A determination made by the independent external reviewer is binding on the parties. Costs associated with the independent external review are the responsibility of the nonprevailing party."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2290, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2290 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new subsection to section 20.1-03-07 of the North"

Page 1, line 2, remove "Dakota Century Code, relating to licenses to hunt on private shooting preserves; and to"

Page 1, line 3, remove "subsection 1 of section 20.1-03-07," and remove the second comma

Page 1, remove lines 7 through 21

Page 3, line 14, after the period insert "If a wild upland bird of the same species hunted on the shooting preserve is taken accidentally by a client out of the regular hunting season proclaimed by the governor, or is taken by a client not in possession of a proper small game license, the client may keep the bird."

Page 3, line 18, after the underscored period insert "Other than those wild birds allowed to be retained by a client, the shooting preserve operator shall deliver to the department all wild birds harvested."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2295, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2295 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2324, as engrossed: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2324 was placed on the Sixth order on the calendar.

Page 1, line 11, remove the overstrike over the first "~~not~~" and remove the overstrike over "~~any tax or exercise any power that was not otherwise~~"

Page 1, remove the overstrike over lines 12 through 14

Page 1, line 15, remove the overstrike over "~~board which are designated as cities~~" and replace "~~taxes within the portion of the combined~~" with "or as otherwise specified in the plan and approved by the electorate in each of the affected cities and counties"

Page 1, remove lines 16 through 18

Page 1, line 19, remove "districts"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2330, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2330 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2237: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2237 was placed on the Sixth order on the calendar.

Page 1, line 13, after "providing" insert "services including", remove the overstrike over "~~police protection, sewer and water, garbage removal~~", and remove the overstrike over "~~, and~~"

Page 1, line 14, remove the overstrike over "~~public road construction and maintenance,~~"

Page 2, line 17, after "provide" insert "services including" and remove the overstrike over "~~police protection, sewer and water, garbage removal~~"

Page 2, line 18, remove the overstrike over "~~, and public road construction and maintenance,~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2344: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 1 NAY,

2 ABSENT AND NOT VOTING). SB 2344 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2349, as reengrossed: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **DO PASS** (10 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2349 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2384: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2384 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2401, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2401 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4013, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4013 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4016: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4016 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4033: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SCR 4033 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4034: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4034 was placed on the Tenth order on the calendar.

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

Bradley C. Fay, Chief Clerk