

JOURNAL OF THE HOUSE

Fifty-ninth Legislative Assembly

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Bismarck, March 18, 2005

The House convened at 12:00 p.m., with Speaker Klein presiding.

The prayer was offered by Pastor Nathan Keith, Trinity Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Hawken, N. Johnson, Kerzman, Norland, Price, and Wrangham.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER KLEIN DEEMED approval of HB 1526 HB 1527, SB 2031, SB 2111, SB 2147, SB 2188, SB 2190, SB 2215, SB 2265, SB 2272, SB 2326 and SB 2373.

SB 2373, as amended, was rereferred to the **Appropriations Committee**.

HB 1526 and HB 1527, as amended, were placed on the Eleventh order of business on the calendar.

SB 2031, SB 2111, SB 2147, SB 2188, SB 2190, SB 2215, SB 2265, SB 2272 and SB 2326, as amended, were placed on the Fourteenth order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1211: A BILL for an Act to amend and reenact sections 12.1-23-11 and 12.1-23-12 of the North Dakota Century Code, relating to unauthorized use of personal identifying information of a deceased individual and jurisdiction in offenses involving conduct outside this state; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

HB 1211 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1193: A BILL for an Act to amend and reenact subsection 7 of section 20.1-03-11 and section 20.1-08-04.6 of the North Dakota Century Code, relating to preferential landowner licenses to hunt elk.

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; Charging; Clark; Conrad; Damschen;

DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

HB 1193 passed and the title was agreed to.

MOTION

REP. MONSON MOVED that SCR 4034 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4034: A concurrent resolution congratulating the West Fargo High School Packatahnas for their first-place finish in the Universal Dance Association national finals.

ROLL CALL

The question being on the final passage of the resolution, 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; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

SCR 4034 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION ON CONSENT CALENDAR

SCR 4037: A concurrent resolution directing the Legislative Council to study the laws pertaining to fences located outside the corporate limits of the state's cities and the relevancy of those laws in the 21st century.

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

SCR 4037 was declared adopted on a voice vote, and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2006: A BILL for an Act to provide an appropriation for defraying the expenses of the aeronautics commission.

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; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.;

Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

Engrossed SB 2006 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2008: A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions; and to provide a contingent appropriation.

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; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Delzer; Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

Engrossed SB 2008 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2087: A BILL for an Act to amend and reenact sections 44-08-18, 54-21-17.1, and 54-21-18 of the North Dakota Century Code, relating to the transfer of capitol security from the office of management and budget to the highway patrol.

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; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

Engrossed SB 2087 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2216: A BILL for an Act to create and enact section 49-21-10.3 of the North Dakota Century Code, relating to complaints against telecommunications companies; to amend and reenact sections 49-02-01.1, 49-21-01, 49-21-01.1, 49-21-01.3, 49-21-01.7,

49-21-02.2, and 49-21-10.2 of the North Dakota Century Code, relating to telecommunications regulation; and to repeal sections 49-21-04.1, 49-21-08, 49-21-14, 49-21-15, 49-21-17, 49-21-18, and 49-21-20 of the North Dakota Century Code, relating to telecommunications regulation.

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 75 YEAS, 13 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Galvin; Grande; Guleson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Johnson, D.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Williams; Speaker Klein

NAYS: Boehning; Clark; Conrad; Dietrich; Froseth; Glassheim; Iverson; Kasper; Koppelman; Potter; Thorpe; Wieland; Zaiser

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

Engrossed SB 2216 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2164: A BILL for an Act to amend and reenact sections 6-08-16 and 6-08-16.2 of the North Dakota Century Code, relating to increasing fees and costs for checks issued on closed accounts and accounts with insufficient funds.

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 40 YEAS, 48 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Boe; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Devlin; Dietrich; Ekstrom; Froseth; Glassheim; Guleson; Haas; Herbel; Kaldor; Keiser; Kelsch, R.; Kingsbury; Klemin; Kreidt; Kretschmar; Maragos; Martinson; Nottestad; Owens; Pietsch; Porter; Rennerfeldt; Ruby; Svedjan; Uglem; Vigasaa; Wald; Wall; Weiler; Williams; Speaker Klein

NAYS: Bellew; Belter; Bernstein; Boehning; Boucher; Carlson; Conrad; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Froelich; Galvin; Grande; Hanson; Headland; Horter; Hunskor; Iverson; Johnson, D.; Kasper; Kelsh, S.; Kempenich; Koppelman; Kroeber; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Onstad; Pollert; Potter; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Timm; Weisz; Wieland; Zaiser

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

Engrossed SB 2164 lost.

SECOND READING OF SENATE BILL

SB 2179: A BILL for an Act to amend and reenact section 5-01-17 of the North Dakota Century Code, relating to domestic winery wine sales and special events; 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 68 YEAS, 19 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Charging; Clark; Conrad; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich;

Galvin; Glassheim; Gulleeson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Johnson, D.; Kasper; Kelsch, R.; Kempenich; Kingsbury; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nottestad; Onstad; Owens; Pollert; Potter; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

NAYS: Bellew; Bernstein; Brusegaard; Carlisle; Carlson; Damschen; Delzer; Froseth; Grande; Iverson; Kaldor; Keiser; Kelsh, S.; Klemin; Maragos; Pietsch; Porter; Sandvig; Thoreson

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kerzman; Nicholas; Norland; Price; Wrangham

Engrossed SB 2179 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2195: A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to reimbursement of lodging expenses and allowances for meals for state and political subdivision officers and employees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 4 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

NAYS: Boehning; Damschen; Kelsh, S.; Meyer, S.

ABSENT AND NOT VOTING: Boucher; Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

Engrossed SB 2195 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2058: A BILL for an Act to amend and reenact subsections 1 and 5 of section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense reimbursement for state officials and employees.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 3 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

NAYS: Froelich; Kelsh, S.; Meyer, S.

ABSENT AND NOT VOTING: Boucher; Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

Engrossed SB 2058 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2245: A BILL for an Act to amend and reenact subsection 3 of section 14-02.4-02, subsection 5 of section 14-02.5-01, subsection 4 of section 34-01-20, sections 34-05-01.1 and 34-05-01.2, subsection 8 of section 34-05-01.3, and sections 34-07-05, 34-14-11, 34-14-12, and 34-14-13 of the North Dakota Century Code, relating to a name change from the department of labor to the department of labor and human rights.

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 44 YEAS, 44 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Carlisle; Charging; Clark; Conrad; Delmore; Dosch; Ekstrom; Froelich; Glassheim; Gulleson; Hanson; Herbel; Horter; Hunsakor; Kaldor; Kelsh, S.; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nottestad; Onstad; Owens; Potter; Sandvig; Schmidt; Solberg; Thoreson; Thorpe; Uglem; Weiler; Williams; Zaiser

NAYS: Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlson; Damschen; DeKrey; Delzer; Devlin; Dietrich; Drovda; Froseth; Galvin; Grande; Haas; Headland; Iverson; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Kreidt; Nicholas; Pietsch; Pollert; Porter; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Timm; Vigasaa; Wald; Wall; Weisz; Wieland; Speaker Klein

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kerzman; Norland; Price; Wrangham

SB 2245 lost.

SECOND READING OF SENATE BILL

SB 2311: A BILL for an Act to amend and reenact subsection 2 of section 54-02-01 of the North Dakota Century Code, relating to unlawful use of the great seal.

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; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Hawken; Johnson, N.; Kempenich; Kerzman; Norland; Price; Wrangham

SB 2311 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2213: 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 dental medical assistance reimbursement; 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 NOT PASS, the roll was called and there were 42 YEAS, 43 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Boe; Boucher; Brandenburg; Clark; Conrad; Delmore; Dosch; Ekstrom; Froelich; Glassheim; Grande; Guleson; Hanson; Hunskor; Johnson, D.; Kaldor; Keiser; Kelsh, S.; Kretschmar; Kroeber; Maragos; Meier, L.; Metcalf; Meyer, S.; Mueller; Nelson; Nicholas; Onstad; Owens; Pietsch; Potter; Sandvig; Schmidt; Solberg; Thoreson; Thorpe; Wall; Williams; Zaiser

NAYS: Bellew; Berg; Bernstein; Brusegaard; Carlisle; Carlson; Charging; DeKrey; Delzer; Devlin; Dietrich; Drovdal; Froseth; Galvin; Haas; Headland; Herbel; Horter; Iverson; Kasper; Kelsch, R.; Kingsbury; Klemin; Koppelman; Kreidt; Martinson; Monson; Nottestad; Pollert; Porter; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Timm; Uglem; Vigasaa; Wald; Weiler; Weisz; Wieland; Speaker Klein

ABSENT AND NOT VOTING: Boehning; Damschen; Hawken; Johnson, N.; Kempenich; Kerzman; Norland; Price; Wrangham

Engrossed SB 2213 lost.

SECOND READING OF SENATE BILL

SB 2266: A BILL for an Act to amend and reenact section 43-17.2-01, subsection 5 of section 43-17.2-02, and subsection 3 of section 43-17.2-03 of the North Dakota Century Code, relating to the state-community matching physician loan repayment program and powers of the state health council.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 1 NAY, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Bernstein; Boe; 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; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Zaiser; Speaker Klein

NAYS: Porter

ABSENT AND NOT VOTING: Berg; Boehning; Hawken; Johnson, N.; Kempenich; Kerzman; Norland; Price; Williams; Wrangham

Engrossed SB 2266 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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; 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; to provide a continuing appropriation; 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 74 YEAS, 8 NAYS, 0 EXCUSED, 12 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Bernstein; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dosch;

Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gulleson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wall; Weiler; Weisz; Wieland; Zaiser; Speaker Klein

NAYS: Belter; Carlson; Delzer; Grande; Kasper; Sitte; Skarphol; Wald

ABSENT AND NOT VOTING: Berg; Boehning; Dietrich; Hawken; Johnson, N.; Kempenich; Kerzman; Norland; Owens; Price; Williams; Wrangham

SB 2297 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2244: A BILL for an Act to amend and reenact subsection 9 of section 26.1-08-01, subsections 4 and 10 of section 26.1-08-12, and section 26.1-08-13 of the North Dakota Century Code, relating to eligibility for coverage under the comprehensive health association of North Dakota.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO 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; Boucher; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

NAYS: Monson

ABSENT AND NOT VOTING: Boehning; Brandenburg; Hawken; Johnson, N.; Kempenich; Kerzman; Norland; Price; Wrangham

SB 2244 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2259: A BILL for an Act to amend and reenact sections 23-07.5-01 and 23-07.5-02 of the North Dakota Century Code, relating to informed consent for HIV testing.

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 0 YEAS, 86 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Boehning; Hawken; Johnson, N.; Kempenich; Kerzman; Norland; Price; Wrangham

Engrossed SB 2259 lost.

SECOND READING OF SENATE BILL

SB 2288: A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to transfers of funds for payment of child support; to amend and reenact section 14-09-09.24 of the North Dakota Century Code, relating to income withholding for child support purposes; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; 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; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Boehning; Hawken; Johnson, N.; Kempenich; Kerzman; Norland; Price; Wrangham

SB 2288 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2378: A BILL for an Act to amend and reenact section 32-09.1-09 of the North Dakota Century Code, relating to the garnishment disclosure form.

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

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

ABSENT AND NOT VOTING: Boehning; Gulleeson; Hawken; Johnson, N.; Kempenich; Kerzman; Norland; Price; Wrangham

Engrossed SB 2378 passed and the title was agreed to.

MOTION

REP. MONSON MOVED that SB 2041 be laid over two legislative days, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2048: A BILL for an Act to repeal section 14-09-10 of the North Dakota Century Code, relating to the reciprocal duty of support between parents and adult children.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 24 YEAS, 62 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Conrad; Damschen; Delmore; Froelich; Glassheim; Gulleston; Hanson; Hunskor; Kaldor; Kelsh, S.; Klemin; Kroeber; Maragos; Nottestad; Onstad; Schmidt; Solberg; Thorpe; Timm; Zaiser

NAYS: Bellew; Belter; Berg; Bernstein; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Grande; Haas; Headland; Herbel; Horter; Iverson; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kingsbury; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Speaker Klein

ABSENT AND NOT VOTING: Boehning; Hawken; Johnson, N.; Kempenich; Kerzman; Norland; Price; Wrangham

SB 2048 lost.

SECOND READING OF SENATE BILL

SB 2360: A BILL for an Act to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to child abuse and neglect records and information; and to amend and reenact section 50-25.1-10 of the North Dakota Century Code, relating to privileged communications.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 80 NAYS, 0 EXCUSED, 13 ABSENT AND NOT VOTING.

YEAS: Uglem

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

ABSENT AND NOT VOTING: Boehning; Charging; Hawken; Johnson, N.; Kasper; Kempenich; Kerzman; Nicholas; Norland; Price; Solberg; Weisz; Wrangham

Engrossed SB 2360 lost.

SECOND READING OF SENATE BILL

SB 2138: A BILL for an Act to amend and reenact subsection 3 of section 10-06.1-10 of the North Dakota Century Code, relating to the composition of the natural areas acquisition advisory committee.

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 81 YEAS, 3 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.;

Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

NAYS: Clark; Porter; Thoreson

ABSENT AND NOT VOTING: Boehning; Hawken; Johnson, N.; Kasper; Kempenich; Kerzman; Norland; Price; Timm; Wrangham

Engrossed SB 2138 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2236: A BILL for an Act to amend and reenact subsection 4 of section 4-10.6-01 and section 4-10.6-09 of the North Dakota Century Code, relating to collection of assessments on corn.

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 70 YEAS, 12 NAYS, 0 EXCUSED, 12 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Keiser; Kelsch, R.; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Ruby; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Zaiser; Speaker Klein

NAYS: Bellew; Delzer; Kaldor; Koppelman; Meier, L.; Porter; Potter; Rennerfeldt; Skarphol; Thorpe; Timm; Weisz

ABSENT AND NOT VOTING: Boehning; Charging; Froelich; Hawken; Johnson, N.; Kasper; Kelsh, S.; Kempenich; Kerzman; Norland; Price; Wrangham

SB 2236 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2346: A BILL for an Act to create and enact a new section to chapter 19-10 of the North Dakota Century Code, relating to the sale of gasoline containing methyl tertiary butyl ether.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; 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; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

NAYS: Ruby

ABSENT AND NOT VOTING: Boehning; Hawken; Johnson, N.; Kasper; Kempenich; Kerzman; Norland; Price; Wrangham

Engrossed SB 2346 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HAAS MOVED that the House do not concur in the Senate amendments to HB 1092 as printed on HJ page 871 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1092: Reps. Klemin, Horter, Sandvig.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do not concur in the Senate amendments to HB 1188 as printed on HJ page 985 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1188: Reps. Dietrich, Clark, Thorpe.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to HB 1190 as printed on HJ page 832 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1190: Reps. Kreidt, Devlin, Potter.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to HB 1191 as printed on HJ page 832 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1191: Reps. Kreidt, Devlin, Potter.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to HB 1200 as printed on HJ page 986 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1200: Reps. Pietsch, Weisz, Sandvig.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to HB 1205 as printed on HJ page 940 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1205: Reps. Koppelman, Galvin, Zaiser.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do not concur in the Senate amendments to HB 1275 as printed on HJ page 858 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1275: Reps. Skarphol, Monson, Glassheim.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to HB 1286 as printed on HJ pages 940-941 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1286: Reps. Boehning, Charging, Onstad.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NELSON MOVED that the House do not concur in the Senate amendments to HB 1402 as printed on HJ page 955 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1402: Reps. Drovdal, Norland, Solberg.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do not concur in the Senate amendments to HB 1074 as printed on HJ page 1001 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1074: Reps. Skarphol, Svedjan, Glassheim.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1116, HB 1140, HB 1141, HB 1169, HB 1185, HB 1271, HB 1501, HCR 3011, HCR 3028, HCR 3034, HCR 3038, HCR 3039, HCR 3040.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1344, HCR 3002.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1344

Page 2, line 7, after the underscored period insert "A lease given by a trustee remains valid."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3002

Page 1, line 25, after "Office" insert "by certified mail with return receipt requested" and after "Delegation" insert "by first-class mail"

Renumber accordingly

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2076, SB 2094, SB 2167, SB 2194, SB 2220, SB 2231, SB 2293, and SB 2338.

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

MR. SPEAKER: The Senate has failed to pass: HB 1038, HB 1236, HB 1330, HB 1467, HCR 3008.

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

MR. SPEAKER: The Senate has passed, the emergency clause failed, unchanged: HB 1383.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1314, HB 1347, HB 1359, HB 1410.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1314

Page 1, line 1, after "49-02" insert "and two new subsections to section 57-38-01.8"

Page 1, line 3, after "commission" insert "and a tax credit for a wind energy device; and to provide an effective date"

Page 2, after line 11, insert:

"SECTION 4. Two new subsections to section 57-38-01.8 of the North Dakota Century Code are created and enacted as follows:

If a taxpayer entitled to the credit provided by this section is a member of a group of corporations filing a North Dakota consolidated tax return using the combined reporting method, the credit may be claimed against the

aggregate North Dakota tax liability of all of the corporations included in the North Dakota consolidated return.

The credit allowed under this section may not exceed the liability for tax under this chapter. If the amount of credit determined under this section exceeds the liability for tax under this chapter, the excess may be used as a credit carryover to each of the five succeeding taxable years.

SECTION 5. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 2004."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1347

Page 1, line 14, after "bank" insert "or credit union"

Page 1, line 16, after "corporation" insert "or national credit union administration"

Page 1, line 17, replace "issuing bank" with "issuer"

Page 1, line 19, replace "issuing bank" with "issuer"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1359

Page 1, line 16, after the period insert "Interest may not begin to accrue until the ninety-first day after the obligation of the debtor to pay has been incurred."

Page 1, line 17, overstrike "that does not exceed one percent per month" and insert immediately thereafter "equal to the prime rate published in the Wall Street Journal on the first Monday in December of each year plus two percentage points rounded to the nearest whole number percentage point and may not be compounded in any manner" and remove the overstrike over "~~but~~"

Page 1, line 18, remove the overstrike over "~~the charge cannot exceed twenty five dollars per month~~" and after the period insert "The twenty-five dollar per month limit under this subsection does not apply to a creditor that is a licensed nursing facility or a basic care facility."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1410

Page 1, line 2, after "23-07.5-07" insert ", paragraph 1 of subdivision b of subsection 10 of section 65-01-02, and sections 65-01-15 and 65-01-15.1"

Page 8, line 25, replace "but" with ". However,"

Page 8, line 27, after "testing" insert "unless otherwise provided by subdivision b of subsection 10 of section 65-01-02"

Page 9, line 24, after "as" insert "permitted under subsection 3, or as otherwise"

Page 9, after line 24, insert:

"3. If the test results are disclosed under this chapter to a law enforcement officer who was exposed to a bloodborne pathogen, the officer may disclose the test results to any other law enforcement officer who has direct physical contact with the test subject, if in the professional judgment of the officer the disclosure is necessary for the health and safety of the other officer and the disclosure is limited to the minimum amount of information needed to protect the health and safety of that officer."

Page 9, after line 30, insert:

"SECTION 6. AMENDMENT. Paragraph 1 of subdivision b of subsection 10 of section 65-01-02 of the North Dakota Century Code is amended and reenacted as follows:

- (1) Ordinary diseases of life to which the general public outside of employment is exposed or preventive treatment for

communicable diseases, except that the bureau organization may pay for preventive treatment for ~~significant exposures documented by emergency medical services providers under chapter 23-07.3, for significant exposures for the employees of licensed facilities as defined by chapter 23-07.3, a health care provider as defined in section 23-07.5-01, firefighter, peace officer, correctional officer, court officer, law enforcement officer, emergency medical technician, or an individual trained and authorized by law or rule to render emergency medical assistance or treatment who is exposed to a bloodborne pathogen as defined in section 23-07.5-01 occurring in the course of employment and for exposure to rabies occurring in the course of employment.~~

SECTION 7. AMENDMENT. Section 65-01-15 of the North Dakota Century Code is amended and reenacted as follows:

65-01-15. Yearly documentation required for firefighter and law enforcement officer. Except for benefits for an exposure to ~~infectious disease a bloodborne pathogen as defined by sections 23-07.3-01 and 23-07.3-02~~ section 23-07.5-01 occurring in the course of employment, a full-time paid firefighter or law enforcement officer who uses tobacco is not eligible for the benefits provided under section 65-01-15.1, unless the full-time paid firefighter or law enforcement officer provides yearly documentation from a physician which indicates that the full-time paid firefighter or law enforcement officer has not used tobacco for the preceding two years. ~~Any full-time paid firefighter or law enforcement officer employed on June 30, 1995, is not subject to this section until July 1, 1997.~~

SECTION 8. AMENDMENT. Section 65-01-15.1 of the North Dakota Century Code is amended and reenacted as follows:

65-01-15.1. Presumption of compensability for certain conditions of full-time paid firefighters and law enforcement officers. Any condition or impairment of health of a full-time paid firefighter or law enforcement officer caused by lung or respiratory disease, hypertension, heart disease, or ~~an exposure to infectious disease a bloodborne pathogen as defined by sections 23-07.3-01 and 23-07.3-02~~ section 23-07.5-01 occurring in the course of employment, or occupational cancer in a full-time paid firefighter, resulting in total or partial disability or death is presumed to have been suffered in the line of duty. The condition or impairment of health may not be attributed to any disease existing before that total or partial disability or death unless the contrary is shown by competent evidence. As used in this section, an occupational cancer is one which arises out of employment as a full-time paid firefighter and is due to injury due to exposure to smoke, fumes, or carcinogenic, poisonous, toxic, or chemical substances while in the performance of active duty as a full-time paid firefighter. A full-time paid firefighter or law enforcement officer is not eligible for the benefit provided under this section unless that full-time paid firefighter or law enforcement officer has completed five years of continuous service and has successfully passed a medical examination which fails to reveal any evidence of such a condition. An employer shall require a medical examination upon employment, for any employee subject to this section. After the initial medical examination, an employer shall require at least a periodic medical examination as follows: for one to ten years of service, every five years; for eleven to twenty years of service, every three years; and for twenty-one or more years of service, every year. The periodic medical examination, at a minimum, must consist of a general medical history of the individual and the individual's family; an occupational history including contact with and an exposure to hazardous materials, toxic products, contagious and infectious diseases, and to physical hazards; a physical examination including measurement of height, weight, and blood pressure; and laboratory and diagnostic procedures including a nonfasting total blood cholesterol test and papanicolaou smear for women. If the medical examination reveals that an employee falls into a recognized risk group, the employee must be referred to a qualified health professional for future medical examination. This section does not affect an employee's responsibility to document that the employee has not used tobacco as required under section 65-01-15. Results of the examination must be used in rebuttal to a presumption afforded under this section. For purposes of this section, "law enforcement officer" means a person who is licensed to perform peace officer law enforcement duties under chapter 12-63 and is employed full time by the bureau of criminal investigation, the game and fish department, the state highway patrol, the parole and probation division, the North Dakota state university police department, the North Dakota state college of science police department, the university of North Dakota police department, a county sheriff's department, or a city police department. The

presumption does not include a condition or impairment of health of a full-time paid firefighter or law enforcement officer, who has been employed for ten years or less, if the condition or impairment is diagnosed more than two years after the employment as a full-time paid firefighter or law enforcement officer ends. The presumption also does not include a condition or impairment of health of a full-time paid firefighter or law enforcement officer, who has been employed more than ten years, if the condition or impairment is diagnosed more than five years after the employment as a full-time paid firefighter or law enforcement officer ends."

Renumber accordingly

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 2411.

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

MR. SPEAKER: The Senate has failed to pass: HB 1224, HB 1458.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1259.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1259

Page 2, line 11, remove the overstrike over "~~Continuing~~"

Page 2, line 12, remove the overstrike over "~~appropriation~~"

Page 2, line 13, remove the overstrike over "~~are appropriated to the department on a continuing basis~~"

Page 2, line 14, remove "may be spent by the department pursuant to legislative appropriations"

Page 10, line 2, remove "- Report"

Page 10, line 5, replace "Except for" with "All"

Page 10, remove line 6

Page 10, line 7, remove "and operating costs of the lottery under section 53-12.1-10, all other"

Page 10, line 8, remove "During each regular"

Page 10, remove lines 9 through 11

Page 10, line 17, after "of" insert "an expense, including" and replace "expense" with ", supplies, a survey, advertising and marketing, printing, promotion, a premium incentive item, and reimbursement of the cost of a facility or service provided by another state agency"

Page 10, line 19, replace "Fifty" with "Starting July 1, 2005, fifty"

Page 10, remove lines 26 through 30

Page 10, line 31, replace "53-12.1-11" with "53-12.1-10"

Page 11, line 24, replace "53-12.1-12" with "53-12.1-11"

Page 13, line 8, replace "53-12.1-13" with "53-12.1-12"

Renumber accordingly

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

MR. SPEAKER: The Senate has passed unchanged: HB 1051, HB 1161, HB 1165, HB 1186, HB 1225, HB 1404, HCR 3007, HCR 3014, HCR 3023, HCR 3029.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2006, SB 2008, SB 2087, SB 2195, SB 2216, SB 2266, SB 2297, SB 2378.

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

MR. PRESIDENT: The House has passed unchanged: SB 2058, SB 2138, SB 2236, SB 2244, SB 2311, SB 2346.

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

MR. PRESIDENT: The House has failed to pass: SB 2048, SB 2259, SB 2360.

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 2179.

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

MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2164.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2288.

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

MR. PRESIDENT: The House has passed unchanged: SCR 4034, SCR 4037.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1074, HB 1092, HB 1188, HB 1190, HB 1191, HB 1200, HB 1205, HB 1275, HB 1286, and HB 1402 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1074: Reps. Skarphol; Svedjan; Glassheim

HB 1092: Reps. Klemm; Horter; Sandvig

HB 1188: Reps. Dietrich; Clark; Thorpe

HB 1190: Reps. Kreidt; Devlin; Potter

HB 1191: Reps. Kreidt; Devlin; Potter

HB 1200: Reps. Pietsch; Weisz; Sandvig

HB 1205: Reps. Koppelman; Galvin; Zaiser

HB 1275: Reps. Skarphol; Monson; Glassheim

HB 1286: Reps. Boehning; Charging; Onstad

HB 1402: Reps. Drovda; Norland; Solberg

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 1055, HB 1073, HB 1175, HB 1254, HB 1265, HB 1283, HB 1360, HB 1482, HCR 3013, HCR 3025, HCR 3026, HCR 3027.

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

MR. SPEAKER: The President has signed: HB 1044, HB 1057, HB 1103, HB 1106, HB 1149, HB 1159, HB 1176, HB 1179, HB 1194, HB 1197, HB 1213, HB 1221, HB 1229, HB 1232, HB 1240, HB 1268, HB 1278, HB 1327, HB 1336, HB 1364, HB 1427, HB 1429, HB 1430, HB 1432, HB 1448, HB 1506, HCR 3010.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2024, SB 2033, SB 2099, SB 2112, SB 2159, SB 2170, SB 2183, SB 2191, SB 2202, SB 2211, SB 2219, SB 2273, SB 2345, SB 2410.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on March 18, 2005: HCR 3010.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 18, 2005: HB 1044, HB 1057, HB 1103, HB 1106, HB 1149, HB 1159, HB 1176, HB 1179, HB 1194, HB 1197, HB 1213, HB 1221, HB 1229, HB 1232, HB 1240, HB 1268, HB 1278, HB 1327, HB 1336, HB 1364, HB 1427, HB 1429, HB 1430, HB 1432, HB 1448, HB 1506.

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, fourteenth, and sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 21, 2005, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4039: A concurrent resolution directing the Legislative Council to study state and local taxes and other funding sources that may be used to more equitably spread the responsibility for funding elementary and secondary education, reduce reliance on property taxes, and enhance equity and adequacy of funding for elementary and secondary education.

Was read the first time and referred to the **Finance and Taxation Committee**.

REPORT OF STANDING COMMITTEE

HB 1223, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1223 was placed on the Sixth order on the calendar.

Page 1, line 15, remove the overstrike over "2" and remove "4."

Page 1, line 16, remove "2. A", overstrike "participant or", remove "a", overstrike "participant's representative may", remove "not", and overstrike "maintain an action against or"

Page 1, overstrike line 17

Page 1, line 18, overstrike "or the death of a participant engaged in an equine activity"

Page 1, line 19, remove "3."

Page 1, line 21, remove the overstrike over "2-" and remove "4."

Page 3, line 16, replace "3" with "2"

Page 3, remove lines 17 through 20

Page 3, line 21, replace "3." with "2."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2047, as engrossed: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2047 was placed on the Sixth order on the calendar.

Page 1, line 1, after the fourth comma insert "and"

Page 1, line 2, remove ", and 26.1-41-19"

Page 5, line 9, remove "For the"

Page 5, remove lines 10 and 11

Page 5, line 12, remove "included."

Page 8, remove lines 15 through 31

Page 9, remove lines 1 through 14

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2102: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2102 was placed on the Sixth order on the calendar.

Page 1, line 7, after "second" insert "or subsequent"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2115, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO PASS** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2115 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2303, as engrossed: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2303 was placed on the Sixth order on the calendar.

Page 2, line 20, overstrike "fifty" and insert immediately thereafter "seventy-five"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2239, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO PASS** (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2239 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2268, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO PASS** (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2268 was placed on the Fourteenth order on the calendar.

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

Bradley C. Fay, Chief Clerk

