

## JOURNAL OF THE HOUSE

## Sixtieth Legislative Assembly

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Bismarck, March 1, 2007

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

The prayer was offered by Pastor Verle Reinicke with Lord of Life Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Keiser and S. Kelsh.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER DELZER DEEMED** approval of the amendments to HCR 3019, HCR 3045, HCR 3055, SB 2025, Engrossed SB 2136, and SB 2193.

HCR 3019, HCR 3045, and HCR 3055, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SB 2025, Engrossed SB 2136, and SB 2193, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. MONSON MOVED** that Engrossed SB 2134, which is on the Fourteenth order, be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, Engrossed SB 2134 was rereferred.

## MOTION

**REP. MONSON MOVED** that Engrossed SB 2040, which is on the Fourteenth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, Engrossed SB 2040 was rereferred.

## SECOND READING OF SENATE BILL

**SB 2042:** A BILL for an Act to amend and reenact section 65-01-15.1 of the North Dakota Century Code, relating to the workers' compensation presumption of compensability for firefighters and law enforcement officers; and to provide for retroactive application.

## ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Keiser; Kelsh, S.

Engrossed SB 2042 passed and the title was agreed to.

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## SECOND READING OF SENATE BILL

**SB 2064:** A BILL for an Act to create and enact a new subsection to section 14-09-06.6 of the North Dakota Century Code, relating to the modification of custody of a child with a service member parent.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Keiser; Kelsh, S.

Engrossed SB 2064 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2065:** A BILL for an Act to amend and reenact subsection 1 of section 26.1-26-13.3 of the North Dakota Century Code, relating to elimination of mandatory preclicensing education requirements for insurance producers.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Kasper; Wald

**ABSENT AND NOT VOTING:** Keiser; Kelsh, S.

SB 2065 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2075:** A BILL for an Act to amend and reenact subsection 6 of section 14-02.4-02 of the North Dakota Century Code, relating to the definition of the term discriminatory practice for human rights purposes.

**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 82 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter;

Price; Ruby; Schmidt; Schneider; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Carlson; Dosch; Glassheim; Grande; Headland; Kasper; Skarphol; Wald; Weiler; Weisz

**ABSENT AND NOT VOTING:** Keiser; Kelsh, S.

SB 2075 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2078:** A BILL for an Act to amend and reenact section 57-38-01.20 of the North Dakota Century Code, relating to the family care income tax credit; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Keiser; Kelsh, S.

SB 2078 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2079:** A BILL for an Act to amend and reenact section 57-38-30.3 of the North Dakota Century Code, relating to the simplified method of computing tax for individual income tax purposes and the tax credit for unused federal alternative minimum tax; and to provide an effective date.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Keiser; Kelsh, S.; Kempenich

SB 2079 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2084:** A BILL for an Act to amend and reenact sections 57-38.5-02 and 57-38.5-03 of the North Dakota Century Code, relating to certification of a qualified business and calculation of the seed capital investment tax credit; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Keiser; Kelsh, S.

SB 2084 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2092:** A BILL for an Act to amend and reenact subsection 2 of section 65-04-03.1 of the North Dakota Century Code, relating to expenditures from the workers' compensation fund.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Berg; Keiser; Kelsh, S.

SB 2092 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2233:** A BILL for an Act to amend and reenact subsection 7 of section 16.1-06-04, sections 16.1-06-10.1 and 16.1-06-11, subsection 2 of section 16.1-06-17, and sections 16.1-06-18, 16.1-06-19, 16.1-06-20, 16.1-06-21, 16.1-06-22, and 16.1-06-23 of the North Dakota Century Code, relating to election ballots and voting systems.

**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 71 YEAS, 20 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Kelsch, R.; Kempenich;

Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Speaker Delzer

**NAYS:** Bellew; Boe; Delmore; Froelich; Griffin; Gruchalla; Karls; Kasper; Kerzman; Meyer, S.; Myxter; Onstad; Ruby; Schmidt; Schneider; Solberg; Thorpe; Vig; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Boucher; Keiser; Kelsh, S.

Engrossed SB 2233 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2213:** A BILL for an Act to amend and reenact section 62.1-02-01 of the North Dakota Century Code, relating to possession of firearms by offenders.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Keiser; Kelsh, S.

Engrossed SB 2213 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2114:** A BILL for an Act to amend and reenact section 36-01-08 of the North Dakota Century Code, relating to state board of animal health fees; and to provide a continuing appropriation.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weisz; Wieland; Williams; Wolf; Zaiser

**NAYS:** Bellew; Belter; Dietrich; Dosch; Ruby; Wald; Weiler; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Keiser; Kelsch, R.; Kelsh, S.

Engrossed SB 2114 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2131:** 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 information provided by health insurers to the department of human services; and to declare an emergency.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kempenich; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Onstad

Engrossed SB 2131 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2138:** A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to false representation of marital status; to amend and reenact subsection 1 of section 23-07-07.5 and section 23-07.7-01 of the North Dakota Century Code, relating to sexual offense medical testing; to repeal section 12.1-20-10 of the North Dakota Century Code, relating to an individual's living arrangements; 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 48 YEAS, 41 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Boe; Charging; Conrad; Dahl; DeKrey; Delmore; Dietrich; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hawken; Hofstad; Johnson, D.; Johnson, N.; Kaldor; Klemm; Kroeber; Martinson; Metcalf; Meyer, S.; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pinkerton; Potter; Price; Schmidt; Schneider; Solberg; Svedjan; Thorpe; Uglem; Vig; Wall; Williams; Wolf; Zaiser

**NAYS:** Bellew; Belter; Boehning; Brandenburg; Carlisle; Carlson; Clark; Damschen; Dosch; Drovdal; Froseth; Grande; Hatlestad; Headland; Heller; Herbel; Hunskor; Karls; Kasper; Kempenich; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Meier, L.; Monson; Pietsch; Pollert; Porter; Ruby; Skarphol; Sukut; Thoreson; Vigasaa; Wald; Weiler; Weisz; Wieland; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Keiser; Kelsch, R.; Kelsh, S.; Kerzman

Engrossed SB 2138 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2177:** A BILL for an Act to amend and reenact section 5-01-09 of the North Dakota Century Code, relating to the penalty for unlawful delivery of alcohol to certain persons.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 80 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Froseth; Hanson; Herbel; Kaldor; Koppelman; Onstad; Skarphol

**NAYS:** Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hatlestad; Hawken; Headland; Heller; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Kempenich; Kingsbury; Klein; Klemm; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Solberg; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Thorpe

Engrossed SB 2177 lost.

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### SECOND READING OF SENATE BILL

**SB 2185:** A BILL for an Act to amend and reenact subsection 29 of section 12.1-01-04 of the North Dakota Century Code, relating to the definition of serious bodily injury.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froeth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kempenich; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Keiser; Kelsch, R.; Kelsh, S.; Kerzman

Engrossed SB 2185 passed and the title was agreed to.

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### DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on March 1, 2007: HCR 3014.

### MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

**MR. PRESIDENT:** The Speaker has signed: HB 1037, HB 1053, HB 1057, HB 1068, HB 1098, HB 1104, HB 1122, HB 1131, HB 1178, HB 1184, HCR 3014.

### DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 1, 2007: HB 1037, HB 1053, HB 1057, HB 1068, HB 1098, HB 1104, HB 1122, HB 1131, HB 1178, HB 1184.

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

**MR. SPEAKER:** The President has signed: SB 2085, SB 2088, SB 2097, SB 2120, SB 2130, SB 2132, SB 2133, SB 2170, SB 2175.

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

**MR. SPEAKER:** The President has signed: SCR 4010.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2087, SB 2112, SB 2159, SB 2231, SB 2235, SB 2242.

### MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

**MR. PRESIDENT:** The Speaker has signed: SB 2087, SB 2112, SB 2159, SB 2231, SB 2235, SB 2242.

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

**MR. SPEAKER:** The President has signed: HB 1052, HB 1064, HB 1085, HB 1114, HB 1185, HB 1236, HB 1318, HB 1374, HB 1376, HB 1377, HB 1382, HB 1383, HB 1468, HCR 3001, HCR 3005.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2066, SB 2111, SB 2234, SB 2236.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed unchanged: SB 2028.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HCR 3059, HCR 3061, HCR 3062, HCR 3063, HCR 3064.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1380.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1380**

Page 2, line 9, overstrike "seven" and insert immediately thereafter "eight"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1030, HB 1031, HB 1032, HB 1103.

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

**MR. SPEAKER:** The Senate has passed unchanged: HB 1022, HB 1028, HB 1054, HB 1058, HB 1066, HB 1074, HB 1096, HB 1097, HB 1143.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4013, SCR 4031, SCR 4032.

**MOTION**

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

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:00 p.m., Friday, March 2, 2007, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2041, as engrossed: Human Services Committee (Rep. Price, Chairman)** recommends **DO NOT PASS** (11 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2041 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2214, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2214 was placed on the Sixth order on the calendar.

Page 1, line 14, remove "and"

Page 1, line 15, after "renewal" insert "; and to declare an emergency"

Page 21, after line 26, insert:

**"SECTION 47. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2216: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2216 was placed on the Fourteenth order on the calendar.



**REPORT OF STANDING COMMITTEE**

**SB 2312: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2312 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2335, as reengrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2335 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2380: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2380 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2381: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2381 was placed on the Fourteenth order on the calendar.

**FIRST READING OF SENATE BILLS**

**SB 2347:** A BILL for an Act to create and enact five new sections to chapter 15-62.2 of the North Dakota Century Code, relating to creation of the North Dakota promise grant program for students enrolled in institutions of higher education; to provide for reports to the legislative council; to provide legislative intent; to provide a transfer; and to provide a continuing appropriation.

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

**SB 2375:** A BILL for an Act to amend and reenact sections 39-01-16, 39-02-03.1, 39-06-34, 39-06.1-11, 39-06.2-10.6, 39-06.2-10.7, and 39-06.2-10.8, subsection 1 of section 39-20-03.1, section 39-20-03.2, subsection 1 of section 39-20-04, sections 39-20-05 and 39-20-06, and subsection 1 of section 54-57-03 of the North Dakota Century Code, relating to the transfer of administrative hearings from the department of transportation to the office of administrative hearings.

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

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4025:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of developing and funding a program to provide services to youth in foster care who are preparing to transition to adulthood and for youth between 18 and 21 years of age who have left foster care and need assistance.

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

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

**Buell J. Reich, Chief Clerk**

