

JOURNAL OF THE HOUSE

Sixtieth Legislative Assembly

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Bismarck, February 6, 2007

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

The prayer was offered by Pastor Clyde Leimberer, Chaplain, Bismarck Baptist Home.

The roll was called and all members were present except Representatives Kempenich and Solberg.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully reexamined the Journal of the Twenty-first and Twenty-fourth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 316, line 34, after "Report" insert ", which motion prevailed"

Page 406, line 42, replace "and" with ",," and after "to" insert ", and the emergency clause was declared carried"

Page 411, line 6, replace "failed" with "prevailed"

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

SIXTH ORDER OF BUSINESS

SPEAKER DELZER DEEMED approval of the amendments to HB 1037, HB 1049, HB 1051, Engrossed HB 1064, HB 1088, HB 1106, HB 1107, HB 1130, HB 1147, HB 1196, HB 1233, HB 1238, HB 1245, HB 1340, HB 1352, HB 1385, HB 1389, HB 1393, HB 1398, HB 1402, HB 1421, HB 1424, HB 1468, HB 1475, HB 1483, HB 1484 and HB 1513.

HB 1049, HB 1051, HB 1106, HB 1107 and HB 1340, as amended, were rereferred to the **Appropriations Committee**.

HB 1037, Engrossed HB 1064, HB 1088, HB 1130, HB 1147, HB 1196, HB 1233, HB 1238, HB 1245, HB 1352, HB 1385, HB 1389, HB 1393, HB 1398, HB 1402, HB 1421, HB 1424, HB 1468, HB 1475, HB 1483, HB 1484 and HB 1513, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. MONSON MOVED the passage of all the resolutions on the Consent Calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3008: A concurrent resolution directing the Legislative Council to study the issues of fairness, equity, and the best interests of children as they relate to issues of child custody and visitation.

HCR 3012: A concurrent resolution directing the Legislative Council to study the determination of the cost of elementary and secondary education.

HCR 3013: A concurrent resolution directing the Legislative Council to study statutes and institutional resources relating to the domestic violence protection order process, including criminal cases for alleged violation of protection orders.

HCR 3021: A concurrent resolution proclaiming February 6, 2007, to be Ronald Reagan Day.

HCR 3031: A concurrent resolution urging Congress to reintroduce the Restitution for Victims of Crime Act to improve the collection of federal court-ordered restitution and other criminal debt and urging the United States Department of Justice to recover court-ordered restitution that is owed innocent victims.

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

HCR 3008, HCR 3012, HCR 3013, HCR 3021, and HCR 3031 were declared adopted on a voice vote, and the titles were agreed to.

MOTION

REP. MONSON MOVED that HB 1381, which is on the Eleventh order, be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, HB 1381 was rereferred.

SECOND READING OF HOUSE BILL

HB 1429: A BILL for an Act to provide a transfer and appropriation from the general fund; to amend and reenact section 54-27.2-01 of the North Dakota Century Code, relating to the budget stabilization fund; 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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Delzer

NAYS: Conrad; Ekstrom; Wolf

ABSENT AND NOT VOTING: Kempenich; Solberg

Engrossed HB 1429 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1034: A BILL for an Act to create and enact a new section to chapter 59-08 and chapters 59-09, 59-10, 59-11, 59-12, 59-13, 59-14, 59-15, 59-16, 59-17, 59-18, 59-19, and 59-20 of the North Dakota Century Code, relating to adoption of the uniform trust code and charitable trusts; to amend and reenact section 3-02-05, subsection 24 of section 10-33-21, section 10-33-105, subsection 7 of section 23-20.3-03.1, sections 23-21.1-03, 30.1-18-03, 30.1-20-13, 30.1-29-17, 30.1-32-03, 30.1-34-02, 38-10-12, and 38-13-01, and subsection 2 of section 59-08-01 of the North Dakota Century Code, relating to trusts; to repeal chapters 30.1-32, 30.1-33, 30.1-34, 59-01, 59-02, 59-03, 59-04, and 59-05 of the North Dakota Century Code, relating to trusts; and to provide for retroactive application.

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 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; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Kempenich; Solberg

Engrossed HB 1034 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1181: A BILL for an Act to amend and reenact section 60-10-03 of the North Dakota Century Code, relating to the credit-sale contract indemnity fund.

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

YEAS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Clark; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovda; Froseth; Grande; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Kelsch, R.; Klein; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Owens; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Delzer

NAYS: Aarsvold; Amerman; Boe; Boucher; Charging; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Gulleson; Hanson; Hunskor; Kaldor; Keiser; Kelsh, S.; Kerzman; Kingsbury; Klemin; Kroeber; Metcalf; Meyer, S.; Mueller; Myxter; Nelson; Nottestad; Onstad; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Williams; Wolf; Zaiser

ABSENT AND NOT VOTING: Kempenich; Solberg

Engrossed HB 1181 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1324: A BILL for an Act to create and enact a new section to chapter 53-06.2 of the North Dakota Century Code, relating to the breed registry of the North Dakota racing commission; and to amend and reenact subsection 6 of section 53-06.2-11 of the North Dakota Century Code, relating to the purse, breeders', and racing promotion funds of the racing 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 89 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Boe; Boehning; 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; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Bellew; Wald

ABSENT AND NOT VOTING: Boucher; Kempenich; Solberg

Engrossed HB 1324 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1372: A BILL for an Act relating to a legislative council study of teacher mentoring programs.

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 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; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Kempenich; Solberg

Engrossed HB 1372 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1379: A BILL for an Act to amend and reenact subdivision d of subsection 1 of section 16.1-12-02.2 of the North Dakota Century Code, relating to canvassing of write-in vote thresholds.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 1 NAYS, 0 EXCUSED, 4 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; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Ruby; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Schmidt

ABSENT AND NOT VOTING: Ekstrom; Kempenich; Price; Solberg

Engrossed HB 1379 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1383: A BILL for an Act to amend and reenact section 15.1-09-08 and subsection 1 of section 15.1-09-13 of the North Dakota Century Code, relating to precincts for school board elections.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Schmidt; Schneider; Skarphol; Sukut;

Svedjan; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Froelich; Gruchalla; Kerzman; Mueller; Vig

ABSENT AND NOT VOTING: Kempenich; Price; Solberg

Engrossed HB 1383 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1387: A BILL for an Act to provide for a legislative council study of the leasing of court facilities.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Carlisle; Carlson; Grande; Skarphol; Thoreson; Wald

ABSENT AND NOT VOTING: Kempenich; Solberg

Engrossed HB 1387 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1403: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an individual and corporate income tax credit for operation of a microbusiness; 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 71 YEAS, 21 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Berg; Boe; Boucher; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Potter; Price; Ruby; Schmidt; Schneider; Thorpe; Uglem; Vig; Vigesaa; Weisz; Williams; Wolf; Zaiser

NAYS: Belter; Boehning; Brandenburg; Carlisle; Carlson; Drovda; Grande; Headland; Klein; Kreidt; Porter; Skarphol; Sukut; Svedjan; Thoreson; Wald; Wall; Weiler; Wieland; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Kempenich; Solberg

Engrossed HB 1403 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1446: A BILL for an Act to amend and reenact section 57-17-06 of the North Dakota Century Code, relating to the amount of an excess levy that may be approved for townships; 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 58 YEAS, 34 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Boe; Boucher; Charging; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Kretschmar; Kroeber; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Potter; Schmidt; Schneider; Sukut; Uglem; Vig; Vigesaa; Wall; Weisz; Williams; Wrangham; Zaiser

NAYS: Bellew; Belter; Boehning; Brandenburg; Carlisle; Carlson; Clark; Dosch; Drovda; Grande; Headland; Heller; Karls; Kasper; Keiser; Kelsch, R.; Koppelman; Kreidt; Martinson; Meier, L.; Owens; Pollert; Porter; Price; Ruby; Skarphol; Svedjan; Thoreson; Thorpe; Wald; Weiler; Wieland; Wolf; Speaker Delzer

ABSENT AND NOT VOTING: Kempenich; Solberg

Engrossed HB 1446 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1470: A BILL for an Act to amend and reenact section 60-02-30 of the North Dakota Century Code, relating to public grain warehouse contracts; to repeal section 60-02-31 of the North Dakota Century Code, relating to notices for the termination of grain storage contracts; 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 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; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Kempenich; Solberg

Engrossed HB 1470 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1490: A BILL for an Act to create and enact a new section to chapter 4-41 of the North Dakota Century Code, relating to the sale of industrial hemp seed; to amend and reenact subdivision b of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks; 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 89 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; 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; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Bellew; Thoreson

ABSENT AND NOT VOTING: Heller; Kempenich; Solberg

Engrossed HB 1490 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1069: A BILL for an Act to amend and reenact section 39-06-40, paragraph 9 of subdivision a of subsection 3 of section 39-06.1-10, paragraph 10 of subdivision b of subsection 3 of section 39-06.1-10, section 39-06.1-11, subsection 9 of section 39-20-07, and section 39-20-14 of the North Dakota Century Code, relating to unlawful use of a license, points entered against a driving record, addiction evaluation for a temporary restricted license, witnesses for interpretation of a chemical test, and an advisory given before a screening test; and to repeal section 39-16.1-20 of the North Dakota Century Code, relating to seizure of an operator's license.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Solberg

HB 1069 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1173: A BILL for an Act to create and enact two new sections to chapter 54-35 of the North Dakota Century Code, relating to review and approval of legislative branch budget requests and establishment of a compensation system by the legislative council.

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 15 YEAS, 76 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bellew; Carlson; Grande; Headland; Johnson, N.; Kasper; Keiser; Nottestad; Pollert; Ruby; Skarphol; Thoreson; Wald; Weiler; Speaker Delzer

NAYS: Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Kaldor; Karls;

Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Owens; Pietsch; Pinkerton; Porter; Potter; Price; Schmidt; Schneider; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigasaa; Wall; Weisz; Wieland; Wolf; Wrangham; Zaiser

ABSENT AND NOT VOTING: Onstad; Solberg; Williams

HB 1173 lost.

SECOND READING OF HOUSE BILL

HB 1180: A BILL for an Act to amend and reenact section 53-06.2-02 of the North Dakota Century Code, relating to the membership of the racing commission.

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 41 YEAS, 50 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Boe; Boehning; Boucher; Conrad; DeKrey; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Gulleeson; Hanson; Hawken; Hunskor; Johnson, N.; Kaldor; Kelsch, R.; Kelsh, S.; Kerzman; Kroeber; Martinson; Metcalf; Meyer, S.; Mueller; Myxter; Nelson; Pinkerton; Potter; Price; Schmidt; Schneider; Thorpe; Vig; Weisz; Williams; Wolf; Zaiser

NAYS: Belter; Berg; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Dietrich; Dosch; Drovdal; Froseth; Grande; Haas; Hatlestad; Headland; Heller; Herbel; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Meier, L.; Monson; Nottestad; Owens; Pietsch; Pollert; Porter; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Wieland; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Damschen; Onstad; Solberg

HB 1180 lost.

SECOND READING OF HOUSE BILL

HB 1189: A BILL for an Act to amend and reenact subsection 3 of section 39-06.2-06 of the North Dakota Century Code, relating to commercial driver's license waivers.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 87 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Carlisle; Weiler

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

ABSENT AND NOT VOTING: Berg; Boucher; Damschen; Pietsch; Solberg

HB 1189 lost.

SECOND READING OF HOUSE BILL

HB 1208: A BILL for an Act to amend and reenact sections 36-21.1-01 and 36-21.1-11 of the North Dakota Century Code, relating to the penalty for the inhumane treatment of animals.

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, 92 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

NAYS: 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; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglern; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Kelsh, S.; Solberg

HB 1208 lost.

SECOND READING OF HOUSE BILL

HB 1222: A BILL for an Act to amend and reenact section 26.1-36-37.2 of the North Dakota Century Code, relating to loss ratios for accident and health insurers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Amerman; Drovdal; Pinkerton

ABSENT AND NOT VOTING: Solberg

Engrossed HB 1222 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1263: A BILL for an Act to amend and reenact section 53-06.1-10.1 of the North Dakota Century Code, relating to raffles.

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, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson;

Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Aarsvold; Bellew; Belter; Carlson; Kasper; Myxter; Ruby; Vigesaa

ABSENT AND NOT VOTING: Solberg

Engrossed HB 1263 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1295: A BILL for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code, relating to permits for vehicles of excessive size and weight.

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; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Wald

HB 1295 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1306: A BILL for an Act to create and enact a new section to chapter 58-01 of the North Dakota Century Code, relating to the definition of an elector in a township; and to amend and reenact section 58-04-08 of the North Dakota Century Code, relating to eligibility to vote at township meetings.

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 12 YEAS, 81 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Belter; Boe; Carlisle; Carlson; DeKrey; Kasper; Kempenich; Porter; Thoreson; Wald; Weiler; Weisz

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

ABSENT AND NOT VOTING: Solberg

HB 1306 lost.

SECOND READING OF HOUSE BILL

HB 1330: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to the attorney general multijurisdictional drug task force grant fund; to amend and reenact sections 53-12.1-09 and 54-12-14 of the North Dakota Century Code, relating to disbursements from the lottery operating fund and the assets forfeiture fund; to provide a continuing appropriation; 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 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; 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; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

NAYS: Bellew; Ruby; Speaker Delzer

ABSENT AND NOT VOTING: Solberg

HB 1330 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1341: A BILL for an Act to amend and reenact sections 6-09.10-03 and 6-09.10-04 of the North Dakota Century Code, relating to persons eligible for mediation.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Solberg

HB 1341 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1342: A BILL for an Act to amend and reenact section 6-09.10-02.1 of the North Dakota Century Code, relating to duties of the credit review board.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Solberg

HB 1342 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1369: A BILL for an Act to amend and reenact subsection 1 of section 6-02-01 and section 6-05-02 of the North Dakota Century Code, relating to use of terms for bank, annuity, safe deposit, surety, and trust company regulation purposes; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Solberg

Engrossed HB 1369 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1371: A BILL for an Act to amend and reenact section 11-11.1-02 of the North Dakota Century Code, relating to per diem compensation for members of job development authority boards of directors.

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, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Wall; Weiler; Wieland; Williams; Wolf; Wrangham; Zaiser

NAYS: DeKrey; Drovdal; Vigesaa; Weisz; Speaker Delzer

ABSENT AND NOT VOTING: Solberg

HB 1371 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1380: A BILL for an Act to amend and reenact sections 16.1-01-02.2 and 16.1-01-03, subsection 4 of section 16.1-01-04, section 16.1-01-05.1, and subsections 1 and 2 of section 16.1-01-09 of the North Dakota Century Code, relating to general procedures for elections.

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, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; 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; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham

NAYS: Bellew; Carlisle; Froelich; Thoreson; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Solberg

HB 1380 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1382: A BILL for an Act to amend and reenact sections 4-08-06 and 44-02-07 of the North Dakota Century Code, relating to county election filing dates.

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 75 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlson; Charging; Clark; Conrad; Dahl; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schneider; Sukut; Svedjan; Uglem; Vigasaa; Wald; Wall; Weiler; Wieland; Wolf; Speaker Delzer

NAYS: Boe; Carlisle; Damschen; Froelich; Hanson; Hunskor; Kerzman; Metcalf; Mueller; Schmidt; Thoreson; Thorpe; Vig; Weisz; Williams; Wrangham; Zaiser

ABSENT AND NOT VOTING: Skarphol; Solberg

HB 1382 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1386: A BILL for an Act to amend and reenact sections 58-06-02, 58-07-01, and 58-08-01 of the North Dakota Century Code, relating to the compensation of township officers.

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 76 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Boe; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Potter; Price; Ruby; Schmidt; Schneider; Sukut; Svedjan; Thorpe; Uglem; Vig; Wald; Wall; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Bellew; Boehning; Carlson; Dahl; Grande; Headland; Kasper; Kelsch, R.; Kempenich; Owens; Pollert; Porter; Skarphol; Thoreson; Vigesaa; Weiler; Weisz

ABSENT AND NOT VOTING: Solberg

HB 1386 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1391: A BILL for an Act to provide an appropriation for the development of a regional creative arts center.

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 12 YEAS, 81 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Clark; Ekstrom; Gruchalla; Hanson; Hawken; Kelsh, S.; Myxter; Pietsch; Schneider; Thoreson; Wall; Zaiser

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

ABSENT AND NOT VOTING: Solberg

HB 1391 lost.

SECOND READING OF HOUSE BILL

HB 1392: A BILL for an Act to amend and reenact subsection 2 of section 58-03-14 of the North Dakota Century Code, relating to the penalty for violation of zoning regulations in townships.

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 51 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Boe; Boucher; Conrad; Dahl; Damschen; Delmore; Dietrich; Ekstrom; Froseth; Glassheim; Griffin; Gruchalla; Gulleston; Hanson; Hatlestad; Hawken; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Kretschmar; Kroeber; Martinson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Potter; Schmidt; Schneider; Sukut; Svedjan; Thorpe; Uglem; Vigesaa; Zaiser

NAYS: Bellew; Belter; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; DeKrey; Dosch; Drowdal; Froelich; Grande; Haas; Headland; Heller; Kasper; Kempenich; Klein; Koppelman; Kreidt; Meier, L.; Metcalf; Meyer, S.; Monson; Nelson; Pollert; Porter; Price; Ruby; Skarphol; Thoreson; Vig; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg

HB 1392 passed and the title was agreed to.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2024.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2024.

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

MR. PRESIDENT: The Speaker has signed: SB 2024.

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

MR. PRESIDENT: The House has passed unchanged: SB 2189.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2189.

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

MR. PRESIDENT: The Speaker has signed: SB 2189.

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

MR. SPEAKER: The President has signed: SB 2189.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1199.

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: HB 1033, HB 1185, HB 1215, HB 1226, HB 1278, HB 1316, HB 1328, HB 1355, HB 1390, HB 1396, HCR 3001, HCR 3002, HCR 3014.

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 2132, SB 2154, SB 2194.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 7, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1038: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1038 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1198: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1198 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1219: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1219 was placed on the Sixth order on the calendar.

Page 1, line 3, after "system" insert "; and to provide for a legislative council study"

Page 1, line 7, replace "Department of corrections and rehabilitation" with "Criminal justice information sharing board"

Page 1, line 9, replace "department of corrections and rehabilitation shall" with "criminal justice information sharing board may"

Page 1, line 10, replace "must" with "may"

Page 1, line 13, replace "Automatically notify" with "Notify" and replace "through the victim's choice of" with "by"

Page 2, line 3, replace "Automatically notify" with "Notify" and replace "through the victim's choice of" with "by"

Page 2, line 8, replace "Automatically notify" with "Notify" and replace "through the victim's choice of" with "by"

Page 2, line 12, replace "the most recent" with "a"

Page 2, remove lines 17 and 18

Page 2, line 19, replace "The" with "If a statewide automated victim information and notification system is established, the"

Page 2, line 20, replace "satisfies" with "may satisfy"

Page 2, line 23, replace "The department of corrections and rehabilitation" with "If a statewide automated victim information and notification system is established, the criminal justice information sharing board"

Page 2, line 29, replace "Custodial" with "Upon the request of the criminal justice information sharing board, custodial" and replace "department of corrections and" with "board"

Page 2, line 30, remove "rehabilitation"

Page 2, after line 31, insert:

"SECTION 2. LEGISLATIVE COUNCIL STUDY - STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION SYSTEM. The legislative council shall consider studying, during the 2007-08 interim, the feasibility and desirability of establishing a statewide automated victim information and notification system to provide information and notify registered victims regarding the status of an offender. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1227: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1227 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "upon request"

Page 1, line 13, after "application" insert ", which includes the applicant's social security number"

Page 1, line 22, overstrike "and" and insert immediately thereafter an underscored comma, after "birth" insert ", and social security number", remove the overstrike over "a" and insert immediately thereafter "certified", and remove the overstrike over "birth"

Page 1, line 23, remove the overstrike over "certificate or other"

Page 2, line 5, remove "residence," and remove the second underscored comma

Page 3, line 4, replace "The" with "To the extent it is practicable to do so, the" and replace "may" with "shall"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1241: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1241 was placed on the Sixth order on the calendar.

Page 1, line 1, after the comma insert "a new section to chapter 10-19.1,"

Page 1, line 2, replace the second comma with "and" and replace "and" with "a new section to chapter 10-32, section"

Page 1, line 3, after the first comma insert "section 10-33-01.3," replace the second "section" with "sections", and after "10-33-72.1" insert ", 10-34-02.1, 45-10.2-06.1, and 45-13-02.1"

Page 1, line 4, remove "and"

Page 1, line 5, after "corporations" insert ", real estate investment trusts, limited partnerships, and partnerships"

Page 1, line 14, after the fifth comma insert "and" and remove ", and 10-32-29"

Page 1, line 18, remove the third "and"

Page 1, line 21, replace "and" with a comma

Page 9, after line 8, insert:

"39. "Originating records" means for an organization that is:

- a. A corporation, its articles of incorporation;
- b. A limited liability company, its articles of organization;
- c. A limited partnership, its certificate of limited partnership;
- d. A limited liability partnership, its registration; or
- e. A limited liability limited partnership, its certificate of limited liability limited partnership."

Page 9, line 9, replace "39." with "40."

Page 9, line 11, replace "40." with "41."

Page 9, line 15, replace "41." with "42."

Page 9, line 23, replace "42." with "43."

Page 9, line 29, replace "43." with "44."

Page 10, line 3, replace "44." with "45."

Page 10, line 5, replace "45." with "46."

Page 10, line 8, replace "46." with "47."

Page 10, line 18, replace "47." with "48."

Page 10, line 22, replace "48." with "49."

Page 10, line 23, replace "49." with "50."

Page 10, line 28, replace "50." with "51." and remove the overstrike over "~~shareholders~~"

Page 10, line 29, remove the overstrike over "~~proprietary~~", remove "ownership", and replace "a" with "the"

Page 11, line 1, replace "51." with "52."

Page 11, line 4, replace "52." with "53."

Page 11, line 18, replace "53." with "54."

Page 11, line 20, replace "54." with "55."

Page 12, line 1, replace "55." with "56."

Page 12, line 5, replace "56." with "57."

Page 12, line 9, replace "57." with "58."

Page 12, line 10, replace "58." with "59."

Page 14, after line 19, insert:

"SECTION 4. A new section to chapter 10-19.1 of the North Dakota Century Code is created and enacted as follows:

Reservation of legislative right. The legislative assembly reserves the right to amend or repeal the provisions of this chapter. A corporation incorporated under or governed by this chapter is subject to this reserved right."

Page 15, line 8, overstrike "3." and remove the overstrike over "~~The following provisions govern a corporation unless modified in the articles:~~"

Page 21, line 2, replace "partners" with "portions"

Page 24, line 28, remove the overstrike over "~~shares~~" and remove "ownership"

Page 24, line 29, remove "interests"

Page 31, line 24, replace "ownership interests" with "shares"

Page 37, line 25, overstrike "ownership interests" and insert immediately thereafter "shares"

Page 38, line 29, overstrike "articles"

Page 38, line 30, after "~~organization~~" insert "originating records"

Page 43, line 13, after the underscored comma insert "if"

Page 47, line 17, overstrike "If the surviving organization is a" and remove "domestic"

Page 47, line 18, remove "organization", overstrike the comma, remove "then", overstrike "the" and insert immediately thereafter "The"

Page 53, line 28, remove "j." and overstrike "'Originating records" means for an organization which is:"

Page 53, overstrike lines 29 through 31

Page 54, overstrike lines 1 through 3

Page 60, line 12, overstrike "forty" and insert immediately thereafter "one hundred thirty-five"

Page 69, line 12, replace "a member" with "the members"

Page 71, after line 20, insert:

"44. "Originating records" means for an organization which is:

a. A corporation, its articles of incorporation;

b. A limited liability company, its articles of organization;

- c. A limited partnership, its certificate of limited partnership;
- d. A limited liability partnership, its registration; or
- e. A limited liability limited partnership, its certificate of limited liability limited partnership."

Page 71, line 21, overstrike "44." and insert immediately thereafter "45."

Page 71, line 26, overstrike "45." and insert immediately thereafter "46."

Page 72, line 5, overstrike "46." and insert immediately thereafter "47."

Page 72, line 11, overstrike "47." and insert immediately thereafter "48."

Page 72, line 18, overstrike "48." and insert immediately thereafter "49."

Page 72, line 24, overstrike "49." and insert immediately thereafter "50."

Page 72, line 26, overstrike "50." and insert immediately thereafter "51."

Page 72, line 29, overstrike "51." and insert immediately thereafter "52."

Page 73, line 8, overstrike "52." and insert immediately thereafter "53."

Page 73, line 12, overstrike "53." and insert immediately thereafter "54."

Page 73, line 14, overstrike "54." and insert immediately thereafter "55."

Page 73, line 15, overstrike "55." and insert immediately thereafter "56."

Page 73, line 19, overstrike "56." and insert immediately thereafter "57."

Page 74, line 3, overstrike "57." and insert immediately thereafter "58."

Page 74, line 15, overstrike "58." and insert immediately thereafter "59."

Page 74, line 19, overstrike "59." and insert immediately thereafter "60."

Page 74, line 24, overstrike "60." and insert immediately thereafter "61."

Page 74, line 31, overstrike "61." and insert immediately thereafter "62."

Page 75, line 1, overstrike "62." and insert immediately thereafter "63."

Page 75, line 4, overstrike "63." and insert immediately thereafter "64."

Page 75, after line 11, insert:

"SECTION 39. A new section to chapter 10-32 of the North Dakota Century Code is created and enacted as follows:

Reservation of legislative right. The legislative assembly reserves the right to amend or repeal the provisions of this chapter. A limited liability company organized under or governed by this chapter is subject to this reserved right."

Page 81, line 29, replace "partners" with "portions"

Page 85, remove lines 18 through 29

Page 86, remove lines 1 through 3

Page 90, line 2, remove the overstrike over "~~securities~~"

Page 90, line 3, remove "ownership interests"

Page 90, line 6, remove the overstrike over "~~securities~~" and remove "ownership interests"

Page 92, line 12, remove the overstrike over "~~securities~~" and remove "ownership interests"

Page 92, line 19, remove the overstrike over "~~securities~~" and remove "ownership interests"

Page 98, line 20, overstrike "If the surviving organization is a" and remove "domestic"

Page 98, line 21, remove "organization", overstrike the comma, remove "then", and overstrike "the" and insert immediately thereafter "The"

Page 107, line 6, remove "Ownership interests means for a domestic or foreign organization that is:"

Page 107, remove lines 7 through 13

Page 107, line 14, remove "30."

Page 107, line 19, remove the overstrike over "~~30.~~" and remove "31."

Page 107, line 21, remove the overstrike over "~~34.~~" and remove "32."

Page 107, line 24, remove the overstrike over "~~32.~~" and remove "33."

Page 108, line 4, remove the overstrike over "~~33.~~" and remove "34."

Page 108, line 8, remove the overstrike over "~~34.~~" and remove "35."

Page 108, line 22, remove the overstrike over "~~35.~~" and remove "36."

Page 109, line 3, remove the overstrike over "~~36.~~" and remove "37."

Page 109, line 7, remove the overstrike over "~~37.~~" and remove "38."

Page 109, line 8, remove the overstrike over "~~38.~~" and remove "39."

Page 109, after line 14, insert:

"SECTION 60. Section 10-33-01.3 of the North Dakota Century Code is created and enacted as follows:

10-33-01.3. Reservation of legislative right. The legislative assembly reserves the right to amend or repeal the provisions of this chapter. A corporation incorporated under or governed by this chapter is subject to this reserved right."

Page 118, after line 28, insert:

"SECTION 67. Section 10-34-02.1 of the North Dakota Century Code is created and enacted as follows:

10-34-02.1. Reservation of legislative right. The legislative assembly reserves the right to amend or repeal the provisions of this chapter. A real estate investment trust formed under or governed by this chapter is subject to this reserved right."

Page 119, after line 13, insert:

"SECTION 69. Section 45-10.2-06.1 of the North Dakota Century Code is created and enacted as follows:

45-10.2-06.1. Reservation of legislative right. The legislative assembly reserves the right to amend or repeal the provisions of this chapter. A limited partnership formed under or governed by this chapter is subject to this reserved right."

Page 121, after line 12, insert:

"SECTION 73. Section 45-13-02.1 of the North Dakota Century Code is created and enacted as follows:

45-13-02.1. Reservation of legislative right. The legislative assembly reserves the right to amend or repeal the provisions of this chapter. A partnership formed under or governed by this chapter is subject to this reserved right."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1261: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1261 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1283: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1283 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1298: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1298 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1319: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1319 was placed on the Sixth order on the calendar.

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

Page 2, line 2, remove "An individual does not have the duty to retreat if"

Page 2, remove line 3

Page 3, line 13, after "dwelling" insert ", place of work,"

Page 3, line 14, after "dwelling" insert ", place of work,"

Page 3, line 21, after "dwelling" insert ", place of work,"

Page 3, line 28, after "dwelling" insert ", place of work,"

Page 3, line 30, after "dwelling" insert ", place of work,"

Page 4, remove lines 4 through 6

Page 4, line 9, remove "criminal prosecution and" and replace "action" with "liability"

Page 4, line 10, remove "justified in using"

Page 4, line 11, remove "force and is" and remove "criminal prosecution and"

Page 4, line 16, remove "As used in this subsection, the term 'criminal prosecution' includes"

Page 4, remove lines 17 through 21

Page 4, line 22, replace "3." with "2."

Page 4, line 25, remove "prosecution or"

Page 4, after line 25, insert:

"SECTION 4. A new section to chapter 12.1-05 of the North Dakota Century Code is created and enacted as follows:

Arrest standard for use of force. A law enforcement agency may use standard procedures for investigating the use of force, but the agency may not arrest the individual for using force unless the agency determines that there is probable cause that the force that was used was not justified."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1329: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO NOT PASS** (12 YEAS, 10 NAYS, 2 ABSENT AND NOT VOTING). HB 1329 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1343: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (11 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1343 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1356: Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1356 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1408: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1408 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections" and after "3" insert "and 4"

Page 1, line 4, replace "Subsection" with "Subsections" and after "3" insert "and 4"

Page 1, line 5, replace "is" with "are"

Page 1, line 15, overstrike ", transforming the interests of the decedent" and overstrike "into"

Page 1, line 16, remove "a sole interest in the property"

Page 1, after line 16, insert:

- "4. The ~~severance~~ voided interest under subdivision b of subsection 3 does not affect any third-party interest in property acquired for value and in good-faith reliance on an apparent title by survivorship in the killer unless a writing declaring the ~~severance~~ voided interest has been noted, registered, filed, or recorded in records appropriate to the kind and location of the property that are relied upon, in the ordinary course of transactions involving ~~such~~ the property, as evidence of ownership."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1425: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (20 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1425 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1440: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). HB 1440 was placed on the Sixth order on the calendar.

Page 1, line 6, remove the overstrike over "~~on not more than two occasions per~~"

Page 1, line 7, remove the overstrike over "~~year~~" and remove "by any licensed organization or organization that has a local permit"

Page 1, line 8, remove the overstrike over "~~Not more than three~~"

Page 1, remove the overstrike over lines 9 through 13

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1442: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1442 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1443: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1443 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1451: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1451 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "prohibition on" and remove "carbonated"

Page 1, line 6, remove "- Prohibited", replace "The" with "At the expiration of all current school vending contracts, the", and replace "may not allow the" with "shall renegotiate all vending contract extensions or new contracts to meet or exceed the 2006 school beverage criteria established by the American beverage association and national industry leaders for school vending"

Page 1, remove lines 7 through 9

Page 1, line 10, remove "which elementary or middle school students have access" and replace "prohibition" with "directive"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1453: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1453 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1473: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO NOT PASS** (18 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1473 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2127: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2127 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2140: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2140 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3022: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3022 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3041: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3041 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3043: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3043 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4010: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4010 was placed on the Tenth order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Mueller, Kingsbury, Price and Sens. Bakke, Flakoll, Mathern introduced:

HCR 3046: A concurrent resolution directing the Legislative Council to study ways in which various public and private entities can cooperate to promote healthy lifestyles for children and create awareness about the interplay of healthy lifestyle choices and educational success.

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

Reps. Onstad, Conrad, DeKrey, Mueller, Schmidt, Solberg introduced:

HCR 3047: A concurrent resolution directing the Legislative Council to study grain inspection and grading procedures.

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

FIRST READING OF SENATE BILLS

SB 2010: A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to provide an appropriation to the legislative council; to provide for fund transfers; to provide for making payments of insurance premiums tax collections to fire departments; and to amend and reenact section 26.1-01-09 of the North Dakota Century Code, relating to the commissioner's salary.

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

SB 2022: A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies.

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

SB 2023: A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; and to declare an emergency.

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

SB 2041: A BILL for an Act to create and enact two new sections to chapter 14-03 of the North Dakota Century Code, relating to marriage license fee vouchers and premarital counseling; to amend and reenact section 14-03-22 of the North Dakota Century Code, relating to marriage license fees; and to provide an appropriation.

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

SB 2101: A BILL for an Act to amend and reenact subsections 3 and 5 of section 53-12.1-01, subsection 1 of section 53-12.1-04, sections 53-12.1-08 and 53-12.1-09, subsection 1 of section 53-12.1-11, subsection 1 of section 53-12.1-12, and subsection 2 of section 57-40.3-04 of the North Dakota Century Code, relating to the North Dakota lottery and a motor vehicle excise tax exemption for a motor vehicle to be awarded as a prize by the lottery; to provide a penalty; and to declare an emergency.

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

SB 2104: A BILL for an Act to amend and reenact section 6-09-41 of the North Dakota Century Code, relating to loan guarantees for livestock and dairy farming and related equipment and facilities.

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

SB 2137: A BILL for an Act to amend and reenact sections 37-17.1-02, 37-17.1-02.1, and 37-17.1-04, subsections 3 and 6 of section 37-17.1-06, subsections 3 and 4 of section 37-17.1-07, subsections 1 and 2 of section 37-17.1-07.1, subsection 3 of section 37-17.1-11, subsection 1 of section 37-17.1-12, section 37-17.1-13, subsections 2 and 4 of section 37-17.1-14.2, sections 37-17.1-19, 37-17.1-20, 37-17.1-21, and 37-17.1-24, and subsections 1 and 3 of section 37-17.1-25 of the North Dakota Century Code, relating to the department of emergency services and the North Dakota Disaster Act of 1985.

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

SB 2146: A BILL for an Act to amend and reenact subsection 1 of section 39-08-20 of the North Dakota Century Code, relating to proof of insurance.

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

SB 2165: A BILL for an Act to amend and reenact section 39-20-01.1 of the North Dakota Century Code, relating to the chemical test of a driver in an accident.

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

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.

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

SB 2192: A BILL for an Act to create and enact five new subsections to section 6-01-02 and a new section to chapter 6-08 of the North Dakota Century Code, relating to the legal recognition of electronic records and signatures.

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

SB 2193: A BILL for an Act to create and enact a new subsection to section 34-11.1-05 of the North Dakota Century Code, relating to prohibiting state agencies and political subdivisions from restricting employee access to the legislative assembly; and to provide a penalty.

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

SB 2201: A BILL for an Act to create and enact a new section to chapter 20.1-08 of the North Dakota Century Code, relating to establishing a North Dakota hunter educators association antelope license raffle.

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

SB 2210: A BILL for an Act to create and enact a new section to chapter 13-01 of the North Dakota Century Code, relating to the amount of late payment charges and finance charges on medical bills; and to amend and reenact sections 13-01-14 and 13-01-15 of the North Dakota Century Code, relating to the amount of late payment charges on medical bills.

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

SB 2214: A BILL for an Act to amend and reenact section 2-02-02, subdivision c of subsection 4 of section 2-06-16, section 2-06-20, subsection 7 of section 6-09-15, subsection 7 of section 10-13-03, subsection 1 of section 11-09.1-05, sections 11-36-17 and 15-09-05, subsection 8 of section 15.1-09-33, subsection 7 of section 20.1-02-05, subsection 13 of section 23-11-11, sections 24-01-18, 24-05-09, 24-17-09, and 32-15-01, subsections 22, 36, 59, 66, 67, and 68 of section 40-05-01, subsection 19 of section 40-05-02, section 40-05-11, subsection 1 of section 40-05.1-06, sections 40-22-38, 40-34-01, and 40-34-15, subsection 1 of section 40-35-03, section 40-39-02, subsection 1 of section 40-49-12, section 40-58-02, subsection 3 of section 40-58-07, subsection 3 of section 40-61-03, subsection 4 of section 40-61-05, sections 48-02.1-05 and 49-17.2-18, subsection 3 of section 49-19-01, sections 49-19-12 and 54-17-10, subsection 8 of section 54-17.2-03, sections 54-18-04 and 61-02-22, subsection 6 of section 61-07-01, subsections 7 and 8 of section 61-07-03, subsection 3 of section 61-07-16, and sections 61-21-19, 61-21-64, 61-21.1-06, and 61-35-49 of the North Dakota Century Code, relating to the exercise of the power of eminent domain; and to repeal section 40-58-08 of the North Dakota Century Code, relating to the use of eminent domain for urban renewal.

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

SB 2219: A BILL for an Act to amend and reenact section 47-04.1-05 of the North Dakota Century Code, relating to descriptions of condominium units in conveyances.

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

SB 2230: A BILL for an Act to amend and reenact sections 16.1-11.1-01, 16.1-11.1-02, 16.1-11.1-03, 16.1-11.1-04, and 16.1-11.1-06 of the North Dakota Century Code, relating to mail ballot elections.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

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.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

SB 2234: A BILL for an Act to amend and reenact subsections 1 and 2 of section 16.1-11-06, section 16.1-11-10, subdivision a of subsection 2 of section 16.1-11-11, subdivision a of subsection 1 of section 16.1-11-16, subsection 1 of section 16.1-11-21, subsection 2 of section 16.1-11-26, and section 16.1-11-32 of the North Dakota Century Code, relating to primary elections; and to repeal section 16.1-11-07 of the North Dakota Century Code, relating to presidential preference contests.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

SB 2236: A BILL for an Act to amend and reenact sections 40-09-03 and 40-21-07 of the North Dakota Century Code, relating to municipal elections.

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

SB 2248: A BILL for an Act to amend and reenact sections 12.1-20-05.1, 29-03-01.1, and 29-03-09 of the North Dakota Century Code, relating to the luring of a minor by electronic means, persons liable for prosecution in this state, and the venue of certain offenses; and to provide a penalty.

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

SB 2252: A BILL for an Act to create and enact section 26.1-36-09.12 of the North Dakota Century Code, relating to health insurance coverage for suicide-related medical services.

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

SB 2259: A BILL for an Act to amend and reenact subsections 1, 2, 3, 7, 8, and 9 of section 12.1-32-15 of the North Dakota Century Code relating to registration requirements for sexual offenders and offenders against children.

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

SB 2262: A BILL for an Act to amend and reenact section 12.1-06-05 of the North Dakota Century Code, relating to the renunciation of criminal intent.

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

SB 2264: A BILL for an Act to amend and reenact section 23-10-13 of the North Dakota Century Code, relating to sale of a mobile home park.

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

SB 2266: A BILL for an Act to create and enact sections 51-15-02.1 and 51-15-02.2 of the North Dakota Century Code, relating to an obligation to advertise upon endorsement of a check and to solicitations of payments due; to provide an effective date; and to declare an emergency.

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

SB 2295: A BILL for an Act to amend and reenact subsection 1 of section 6-01-01.1 and sections 6-03-02.2, 6-06-06.1, 6-06-35, and 6-09-36 of the North Dakota Century Code, relating to conversion of a state credit union to a building and loan association and repealed building and loan association law references; to repeal title 7 of the North Dakota Century Code, relating to building and loan associations; to provide for a department of financial study and report to the legislative council; to provide a penalty; and to provide an effective date.

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

SB 2296: A BILL for an Act to amend and reenact sections 26.1-25-02.1 and 26.1-25-04 of the North Dakota Century Code, relating to the definitions of noncompetitive market, insurance company rate filings, and policy forms.

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

SB 2300: A BILL for an Act to amend and reenact sections 6-08.4-01 and 6-08.4-06 of the North Dakota Century Code, relating to interstate branching by banks; and to declare an emergency.

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

SB 2312: A BILL for an Act to amend and reenact section 50-06-26 of the North Dakota Century Code, relating to the alternatives-to-abortion services program; to provide for reports to the legislative council; and to provide an appropriation.

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

SB 2318: A BILL for an Act to amend and reenact subsection 2 of section 26.1-36-04 of the North Dakota Century Code, relating to accident and health policy provisions.

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

SB 2344: A BILL for an Act to amend and reenact sections 15-10-17.4 and 15.1-35-08 of the North Dakota Century Code, relating to the provision of catering services by institutions of higher education and school districts.

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

SB 2411: A BILL for an Act to amend and reenact sections 26.1-22.1-09 and 26.1-22.1-14 of the North Dakota Century Code, relating to hobby boiler operator licensing and fees.

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

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

Buell J. Reich, Chief Clerk