

## JOURNAL OF THE HOUSE

## Sixty-first Legislative Assembly

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Bismarck, January 23, 2009

The House convened at 12:30 p.m., with Speaker Monson presiding.

The prayer was offered by Pastor Rebecca Aardahl, Heart River Lutheran Church, Mandan.

The roll was called and all members were present except Representatives Belter, DeKrey, D. Johnson, Wieland, and Winrich.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER MONSON DEEMED** approval of the amendments to HB 1097, HB 1159, HB 1176, HB 1185, HB 1204, HB 1223, HB 1291, HB 1301, HB 1344, and HB 1383.

HB 1097, HB 1159, HB 1176, HB 1185, HB 1204, HB 1223, HB 1291, HB 1301, HB 1344, and HB 1383, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## SECOND READING OF HOUSE BILL

**HB 1300:** A BILL for an Act to amend and reenact subsection 1 of section 59-12-11 of the North Dakota Century Code, relating to modification of irrevocable trusts.

## 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:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; DeKrey; Johnson, D.; Wieland; Winrich

HB 1300 passed and to which title was agreed.

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## SECOND READING OF HOUSE BILL

**HB 1045:** A BILL for an Act to amend and reenact section 47-05-01, subsection 1 of section 47-05-02, and section 47-05-17 of the North Dakota Century Code, relating to severance of the right of access for hunting access from the surface estate.

## 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 69 YEAS, 21 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Damschen; Delmore; Delzer; Dosch; Frantsvog; Froseth; Glassheim; Grande; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Koppelman; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Mueller; Myxter; Nathe; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schmidt; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Williams; Wolf; Wrangham; Speaker Monson

**NAYS:** Dahl; DeKrey; Drovdal; Ekstrom; Froelich; Griffin; Gruchalla; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Klemin; Kreidt; Meyer, S.; Mock; Nelson; Nottestad; Schatz; Schneider; Weisz; Zaiser

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

Engrossed HB 1045 passed and to which title was agreed.

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#### SECOND READING OF HOUSE BILL

**HB 1125:** A BILL for an Act to amend and reenact section 4-01-17.1 of the North Dakota Century Code, relating to control of predatory animals, destructive birds, and injurious field rodents.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

Engrossed HB 1125 passed and to which title was agreed.

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#### SECOND READING OF HOUSE BILL

**HB 1140:** A BILL for an Act to amend and reenact section 57-51.1-07.2 of the North Dakota Century Code, relating to the transfer of oil and gas gross production tax and oil extraction tax revenues.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

Engrossed HB 1140 passed and to which title was agreed.

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#### SECOND READING OF HOUSE BILL

**HB 1027:** A BILL for an Act to create and enact section 54-16-04.3 of the North Dakota Century Code, relating to powers and duties of the emergency commission and budget section; to amend and reenact section 54-16-03.1 of the North Dakota Century Code,

relating to emergency commission requests; to provide an effective date; 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, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

HB 1027 passed, to which title was agreed, and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1109:** A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to meetings of commodity groups; and to amend and reenact sections 4-10.1-04, 4-10.2-03, 4-10.3-03, 4-10.4-03, 4-10.5-02, 4-10.7-02, and 4-27-04 of the North Dakota Century Code, or in the alternative to amend and reenact sections 4.1-02-01, 4.1-02-03, 4.1-02-09, 4.1-06-03, 4.1-07-01, 4.1-07-03, 4.1-07-08, 4.1-09-01, 4.1-09-04, 4.1-09-12, 4.1-10-03, 4.1-10-05, 4.1-10-06, 4.1-11-01, 4.1-11-03, and 4.1-11-08 of the North Dakota Century Code, relating to removal of the agriculture commissioner from governing bodies of commodity groups.

#### 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:** Amerman; Bellew; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Boucher; Johnson, D.; Wieland; Winrich

HB 1109 passed and to which title was agreed.

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#### SECOND READING OF HOUSE BILL

**HB 1111:** A BILL for an Act to create and enact two new subsections to section 4-30-01 of the North Dakota Century Code, relating to dairy product definitions; and to amend and reenact sections 4-30-18, 4-30-20, 4-30-36, 4-30-36.2, 4-30-36.3, 4-30-36.4, 4-30-39, and 4-30-45.1 of the North Dakota Century Code, relating to dairy products regulations.

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

**YEAS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom;

Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

HB 1111 passed and to which title was agreed.

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### SECOND READING OF HOUSE BILL

**HB 1112:** A BILL for an Act to amend and reenact section 36-24-26 of the North Dakota Century Code, relating to penalties for violating meat inspection laws; 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 36 YEAS, 54 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Carlson; Conklin; Conrad; Damschen; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hofstad; Holman; Hunskor; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kingsbury; Kroeber; Meyer, S.; Mock; Mueller; Myxter; Nelson; Onstad; Pinkerton; Rust; Schmidt; Schneider; Uglem; Vig; Zaiser

**NAYS:** Bellew; Berg; Boehning; Boucher; Brandenburg; Clark; Dahl; DeKrey; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Johnson, N.; Kaldor; Karls; Kasper; Kempenich; Kilichowski; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Nathe; Nottestad; Pietsch; Pollert; Porter; Potter; Ruby; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

HB 1112 passed and to which title was agreed.

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### SECOND READING OF HOUSE BILL

**HB 1156:** A BILL for an Act to amend and reenact subsection 2 of section 47-16-07.1 and section 47-30.1-08 of the North Dakota Century Code, relating to reporting security deposits under the Uniform Unclaimed Property Act.

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

**YEAS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Koppelman

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

HB 1156 passed and to which title was agreed.

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**SECOND READING OF HOUSE BILL****HB 1290:** A BILL for an Act to provide an appropriation for art outreach grants.**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 18 YEAS, 72 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Conrad; Ekstrom; Hawken; Holman; Johnson, N.; Kaldor; Kelsh, S.; Kerzman; Meyer, S.; Mock; Myxter; Onstad; Pietsch; Schneider; Vig; Wolf; Zaiser

**NAYS:** Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Headland; Heller; Hofstad; Hunskor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Mueller; Nathe; Nelson; Nottestad; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

HB 1290 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1319:** A BILL for an Act to create and enact a new section to chapter 35-03 of the North Dakota Century Code, relating to rescission periods for mortgages.

**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 10 YEAS, 80 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Grande; Kilichowski; Metcalf; Meyer, S.; Mueller; Schatz; Schmidt; Wolf; Wrangham; Zaiser

**NAYS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Mock; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

HB 1319 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1332:** A BILL for an Act to amend and reenact section 54-21.3-04 of the North Dakota Century Code, relating to the state building code.

**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 85 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Berg; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein;

Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Boe; Delzer; Drovdal; Vigesaa; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

HB 1332 passed and to which title was agreed.

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### SECOND READING OF HOUSE BILL

**HB 1378:** A BILL for an Act to amend and reenact sections 15.1-06-01 and 15.1-22-02 of the North Dakota Century Code, relating to the age of admission to schools.

### 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 78 YEAS, 12 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Dahl; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Hunskor; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Conrad; Damschen; Delzer; Frantsvog; Headland; Holman; Kaldor; Klein; Klemin; Pinkerton; Thorpe; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

HB 1378 passed and to which title was agreed.

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### SECOND READING OF HOUSE BILL

**HB 1405:** A BILL for an Act to create and enact a new section to chapter 51-14.1 of the North Dakota Century Code, relating to use of credit scores by credit card issuers; and to provide for application.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEAS, 89 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Kelsh, J.

**NAYS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

HB 1405 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1406:** A BILL for an Act to provide an appropriation to the department of commerce to fund a full-time employee for marketing of private wind turbines.

**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 28 YEAS, 61 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boucher; Delmore; Ekstrom; Glassheim; Griffin; Gruchalla; Holman; Hunskor; Kaldor; Kelsh, J.; Kelsh, S.; Kroeber; Meyer, S.; Mock; Mueller; Nelson; Onstad; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Williams; Wolf; Zaiser

**NAYS:** Bellew; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovdal; Frantsvog; Froelich; Froseth; Grande; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Myxter; Nathe; Nottestad; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Kilichowski; Wieland; Winrich

HB 1406 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1089:** A BILL for an Act to create and enact a new subsection to section 27-21-02 and two new subsections to section 27-21-12 of the North Dakota Century Code, relating to the powers and duties and files and records of the division of juvenile services; to amend and reenact sections 12-46-04, 12-46-09, 12-46-10, 12-46-10.1, 12-46-18, and 12-46-19 of the North Dakota Century Code, relating to the North Dakota youth correctional center; and to repeal sections 12-46-03, 12-46-05, 12-46-06, 12-46-11, 12-46-20, and 12-46-22 of the North Dakota Century Code, relating to the North Dakota youth correctional center.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Johnson, D.; Wieland; Winrich

Engrossed HB 1089 passed and to which title was agreed.

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**SECOND READING OF HOUSE BILL**

**HB 1100:** A BILL for an Act to amend and reenact subdivision m of subsection 9 of section 10-04-02, subsections 4, 5, 11, and 13 of section 10-04-06, subsection 2 of section 10-04-08, and subsection 2 of section 10-04-08.4 of the North Dakota Century Code, relating to the definition of institutional investor, securities transactions exempt from registration, securities registration filing fees, and electronic filing.

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

**YEAS:** Amerman; Bellew; Berg; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Boehning; Johnson, D.; Wieland; Winrich

Engrossed HB 1100 passed and to which title was agreed.

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## SECOND READING OF HOUSE BILL

**HB 1152:** A BILL for an Act to amend and reenact section 6-01-04.1 of the North Dakota Century Code, relating to the removal of officers, directors, and employees of financial corporations or institutions.

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

**YEAS:** Amerman; Bellew; Berg; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Boehning; Johnson, D.; Wieland; Winrich

Engrossed HB 1152 passed and to which title was agreed.

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## SECOND READING OF HOUSE BILL

**HB 1154:** A BILL for an Act to create and enact a new subsection to section 6-01-02 of the North Dakota Century Code, relating to definitions for the department of financial institutions.

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

**YEAS:** Amerman; Bellew; Berg; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Boehning; Johnson, D.; Wieland; Winrich

Engrossed HB 1154 passed and to which title was agreed.



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**SECOND READING OF HOUSE BILL**

**HB 1192:** A BILL for an Act to create and enact a new subsection to section 26.1-01-07 and a new section to chapter 26.1-26 of the North Dakota Century Code, relating to fees charged for insurance producer license continuation; to amend and reenact sections 26.1-26-20, 26.1-26-31, 26.1-26-31.1, and 26.1-26-50 of the North Dakota Century Code, relating to insurance producer continuing education requirements and penalties; to repeal sections 26.1-26-31.4 and 26.1-26-31.8 of the North Dakota Century Code, relating to insurance producer continuing education requirements; to provide a penalty; 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 85 YEAS, 4 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Berg; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Delzer; Headland; Pollert; Skarphol

**ABSENT AND NOT VOTING:** Belter; Boehning; Johnson, D.; Wieland; Winrich

Engrossed HB 1192 passed and to which title was agreed.

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**SECOND READING OF HOUSE BILL**

**HB 1220:** A BILL for an Act to amend and reenact subsection 8 of section 44-04-17.1 of the North Dakota Century Code, relating to the definition of a meeting.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Johnson, D.; Kempenich; Wieland; Winrich

Engrossed HB 1220 passed and to which title was agreed.

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**SECOND READING OF HOUSE BILL**

**HB 1258:** A BILL for an Act to provide individuals having medical conditions reasonable restroom access in retail establishments.

**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 73 YEAS, 14 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Ekstrom; Frantsvog; Froelich; Froeth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thorpe; Uglem; Vig; Wald; Wall; Weiler; Williams; Wolf; Zaiser; Speaker Monson

**NAYS:** Bellew; Delzer; Dosch; Drovdal; Kasper; Klein; Pollert; Ruby; Rust; Schatz; Thoreson; Vigasaa; Weisz; Wrangham

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Johnson, D.; Kempenich; Wieland; Winrich

Engrossed HB 1258 passed and to which title was agreed.

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**MOTION**

**REP. CARLSON MOVED** that HB 1368 be placed at the bottom of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1094:** A BILL for an Act to amend and reenact subsection 15 of section 27-20-02, sections 27-20-32.2 and 27-20-38, and subsection 5 of section 50-11-00.1 of the North Dakota Century Code, relating to placement of siblings in foster care and a guardian's duty to exercise due diligence.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froeth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Johnson, D.; Kempenich; Wieland; Winrich

HB 1094 passed and to which title was agreed.

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**SECOND READING OF HOUSE BILL**

**HB 1234:** A BILL for an Act to amend and reenact subsection 22 of section 57-02-08 of the North Dakota Century Code, relating to the maximum amount of the property tax exemption for the home owned and occupied by a blind person; 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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Johnson, D.; Kempenich; Wieland; Winrich

HB 1234 passed and to which title was agreed.

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### SECOND READING OF HOUSE BILL

**HB 1236:** A BILL for an Act to amend and reenact subsection 45 of section 57-39.2-04 and section 57-39.5-02 of the North Dakota Century Code, relating to an exemption from sales and use taxes and imposition of gross receipts taxes for sales of fencing materials used exclusively for agricultural purposes; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 69 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boucher; Conklin; Froelich; Holman; Hunskor; Kaldor; Kelsh, J.; Kerzman; Metcalf; Meyer, S.; Mueller; Onstad; Pinkerton; Schmidt; Thorpe; Vig

**NAYS:** Bellew; Brandenburg; Carlson; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Mock; Myxter; Nathe; Nelson; Nottestad; Pietsch; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Johnson, D.; Kempenich; Wieland; Winrich

Engrossed HB 1236 lost.

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### SECOND READING OF HOUSE BILL

**HB 1263:** A BILL for an Act to create and enact a new section to chapter 50-32 of the North Dakota Century Code, relating to duties of assisted living facilities.

### ROLL CALL

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

**YEAS:** Amerman; Bellew; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Delzer; Headland; Pollert

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Johnson, D.; Kempenich; Wieland; Winrich

HB 1263 passed and to which title was agreed.

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### SECOND READING OF HOUSE BILL

**HB 1269:** A BILL for an Act to amend and reenact section 43-12.1-14 of the North Dakota Century Code, relating to discipline of an unlicensed assistive person practicing without registration.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Johnson, D.; Kempenich; Wieland; Winrich

HB 1269 passed and to which title was agreed.

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### SECOND READING OF HOUSE BILL

**HB 1297:** A BILL for an Act to amend and reenact section 57-39.4-31 of the North Dakota Century Code, relating to membership of the streamlined sales tax governing board.

### 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 7 YEAS, 80 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Boe; Drovdal; Froelich; Glassheim; Kerzman; Mueller; Pinkerton

**NAYS:** Amerman; Bellew; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Ekstrom; Frantsvog; Froseth; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Johnson, D.; Kempenich; Wieland; Winrich

HB 1297 lost.

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### SECOND READING OF HOUSE BILL

**HB 1315:** A BILL for an Act to create and enact a new section to chapter 43-28.1 of the North Dakota Century Code, relating to a grant program for dentists in rural communities; to provide an 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 NOT PASS, the roll was called and there were 27 YEAS, 60 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Brandenburg; Conrad; DeKrey; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Kaldor; Keiser; Kelsh, J.; Kelsh, S.; Kilichowski; Kretschmar; Metcalf; Meyer, S.; Mock; Onstad; Pinkerton; Potter; Schmidt; Schneider; Vig; Weisz; Wolf; Zaiser

**NAYS:** Bellew; Boe; Boucher; Carlson; Clark; Conklin; Dahl; Damschen; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Grande; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Karls; Kasper; Kelsch, R.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier, L.; Mueller; Myxter; Nathe; Nelson; Nottestad; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Williams; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Johnson, D.; Kempenich; Wieland; Winrich

HB 1315 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1330:** A BILL for an Act to amend and reenact sections 43-03-01, 43-03-02, 43-03-03, 43-03-04, 43-03-05, 43-03-06, 43-03-08, 43-03-09, 43-03-10, 43-03-11, 43-03-13, 43-03-14, 43-03-15, 43-03-16, 43-03-17, 43-03-18, 43-03-19, 43-03-20, and 43-03-22 of the North Dakota Century Code, relating to the regulation of architects and landscape architects; to repeal sections 43-03-12, 43-03-24, and 43-03-25 of the North Dakota Century Code, relating to the regulation of architects and landscape architects; 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 82 YEAS, 4 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Delzer; Headland; Pollert; Skarphol

**ABSENT AND NOT VOTING:** Belter; Berg; Boehning; Drovdal; Johnson, D.; Kempenich; Wieland; Winrich

HB 1330 passed and to which title was agreed.

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**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 1026, HB 1170, HB 1196, HB 1199, HB 1209.

**MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)**

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2036, SB 2055, SB 2058, SB 2169, SB 2172, SB 2181, SB 2215, SB 2220, SCR 4003.

**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fifth and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, January 26, 2009, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1030: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1030 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1031: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1031 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1033: Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (9 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1033 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1046: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO NOT PASS** (7 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1046 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1049: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1049 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1068: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1068 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1070: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1070 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1113: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1113 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1117: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1117 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1118: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1118 was placed on the Sixth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1119: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO NOT PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1119 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1120: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO NOT PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1120 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1124: Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (7 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HB 1124 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1163: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1163 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1165: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **DO PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1165 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1173: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1173 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1178: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1178 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1182: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1182 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1188: Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1188 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1208: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1208 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1211: Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (6 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1211 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1216: Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (6 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1216 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1217: Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1217 was placed on the Sixth order on the calendar.

Page 1, line 9, after the fourth underscored comma insert "soybeans."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1239: Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1239 was placed on the Sixth order on the calendar.

Page 1, line 7, remove the overstrike over "~~tenant~~" and insert immediately thereafter "or"

Page 1, line 16, after "or" insert "tenant or an"

Page 1, line 18, after "or" insert "tenant or an"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1245: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1245 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1246: Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (10 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1246 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1287: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1287 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1306: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1306 was placed on the Sixth order on the calendar.

Page 1, line 1, after the comma insert "a new subdivision to subsection 2 of section 28-32-01,"

Page 1, line 4, replace "licenses" with "permits"

Page 2, after line 17, insert:

**"SECTION 3.** A new subdivision to subsection 2 of section 28-32-01 of the North Dakota Century Code is created and enacted as follows:

The attorney general with respect to twenty-four seven sobriety program guidelines and program fees."

Page 2, line 20, replace "conviction for a" with "an offender has been charged with, or convicted of, a second or subsequent" and remove "is for a"

Page 2, line 21, remove "second or subsequent offense."

Page 2, line 23, replace "license" with "permit", replace "an" with "the" and after "offender" insert "only"

Page 2, line 25, after "program" insert "by the offender" and replace "The director may" with "If a court or the parole board finds that an offender has violated a condition of the twenty-four seven sobriety program, the court or parole board may order the temporary restricted driver's permit be revoked and take possession of the temporary restricted driver's permit. The court or the parole board shall send a copy of the order to the director who shall record the revocation of the temporary restricted driver's permit. Revocation of a temporary restricted driver's permit for violation of a condition of the twenty-four sobriety program does not preclude the offender's eligibility for a temporary restricted driver's license under any other provisions of this section."

Page 2, remove lines 26 through 28

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3004: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3004 was placed on the Tenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**