

## JOURNAL OF THE HOUSE

## Sixty-first Legislative Assembly

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Bismarck, February 17, 2009

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

The prayer was offered by Father Patrick Schumacher, St. Joseph Catholic Church, Mandan.

The roll was called and all members were present except Representatives Glassheim and Kerzman.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER MONSON DEEMED** approval of the amendments to HB 1225, HB 1274, HB 1304, HB 1306, HB 1350, and HB 1492.

HB 1225, HB 1274, HB 1304, HB 1306, HB 1350, and HB 1492, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. WOLF MOVED** that the House reconsider its action whereby Engrossed HB 1426 failed to pass, which motion lost on a verification vote.

## SECOND READING OF HOUSE BILL

**HB 1255:** A BILL for an Act to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to corporate income tax rates; 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 57 YEAS, 36 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovda; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Nathe; Nottestad; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Monson

**NAYS:** Amerman; Boe; Boucher; Conklin; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Holman; Hunsakor; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Onstad; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Williams; Winrich; Wolf; Zaiser

**ABSENT AND NOT VOTING:** Kerzman

HB 1255 passed and the title was agreed to.

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## SECOND READING OF HOUSE BILL

**HB 1256:** A BILL for an Act to amend and reenact subdivision d of subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax treatment of qualified dividend income; 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 58 YEAS, 35 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovda; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser;

Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Nathe; Nottestad; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Monson

**NAYS:** Amerman; Boe; Boucher; Conklin; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Onstad; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Williams; Winrich; Wolf; Zaiser

**ABSENT AND NOT VOTING:** Kerzman

HB 1256 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1392:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to an income tax deduction for actual distributions of an interest charge domestic international sales corporation without economic substance owned by individuals or passthrough entities; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovda; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; 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; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Kerzman

Engrossed HB 1392 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1324:** A BILL for an Act to provide an appropriation for allocation of state economic stimulus payments among taxpayers; to amend and reenact subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to a reduction in income tax rates for individuals, estates, and trusts; 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 53 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Dahl; DeKrey; Delzer; Dosch; Drovda; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Martinson; Meier, L.; Nathe; Nottestad; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Monson

**NAYS:** Amerman; Boe; Boucher; Conklin; Conrad; Damschen; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hawken; Holman; Hunskor; Johnson, N.; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kretschmar; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Onstad; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Williams; Winrich; Wolf; Zaiser

**ABSENT AND NOT VOTING:** Kerzman

HB 1324 passed, the title was agreed to, but the emergency clause lost.

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### SECOND READING OF HOUSE BILL

**HB 1279:** A BILL for an Act to amend and reenact subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to a reduction in income tax rates for individuals, estates, and trusts; 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 NOT PASS, the roll was called and there were 47 YEAS, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Boe; Boehning; Boucher; Brandenburg; Conrad; DeKrey; Delmore; Drovdal; Ekstrom; Froelich; Glassheim; Grande; Griffin; Gruchalla; Hanson; Holman; Hunskor; Kaldor; Kasper; Kelsh, J.; Kelsh, S.; Kilichowski; Koppelman; Kretschmar; Kroeber; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nottestad; Onstad; Pinkerton; Porter; Potter; Ruby; Schmidt; Schneider; Thoreson; Thorpe; Vig; Weisz; Winrich; Wolf; Zaiser

**NAYS:** Belter; Berg; Carlson; Clark; Conklin; Dahl; Damschen; Delzer; Dosch; Frantsvog; Froseth; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Kreidt; Martinson; Meier, L.; Metcalf; Nelson; Pietsch; Pollert; Rust; Schatz; Skarphol; Sukut; Svedjan; Uglem; Vigesa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Kerzman

Reengrossed HB 1279 lost.

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### SECOND READING OF HOUSE BILL

**HB 1563:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to reduction in individual income tax rates; to amend and reenact section 57-38-30 and subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to reductions in corporate and individual income tax rates; to repeal sections 57-38-01.3, 57-38-01.4, 57-38-11, 57-38-14, 57-38-30, 57-38-30.1, 57-38-30.5, 57-38-30.6, 57-38-32, and 57-38-60.1 and chapter 57-38.4 of the North Dakota Century Code, relating to elimination of corporate income taxes; to provide for transfers; and to provide contingent effective dates.

### 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 19 YEAS, 74 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Berg; Boehning; Brandenburg; Dosch; Grande; Headland; Kasper; Kempenich; Klemin; Meier, L.; Nathe; Porter; Ruby; Schatz; Thoreson; Weiler; Wrangham; Speaker Monson

**NAYS:** Amerman; Belter; Boe; Boucher; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Potter; Rust; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigesa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Zaiser

**ABSENT AND NOT VOTING:** Kerzman

HB 1563 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1429:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit to provide a sales tax rebate to taxpayers; to provide an effective date; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 37 YEAS, 56 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boucher; Conklin; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Holman; Hunskor; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Onstad; Pinkerton; Potter; Schmidt; Schneider; Sukut; Thorpe; Vig; Weiler; Williams; Winrich; Wolf; Zaiser

**NAYS:** Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovda; Frantsvog; Froseth; Grande; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Nathe; Nelson; Nottestad; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weisz; Wieland; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Kerzman

Engrossed HB 1429 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1268:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for clothing; 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 66 YEAS, 26 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Conklin; Conrad; Dahl; Delmore; Delzer; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Headland; Heller; Hunskor; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Meyer, S.; Mock; Myxter; Nathe; Nottestad; Pietsch; Pinkerton; Pollert; Potter; Rust; Schatz; Schmidt; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Weiler; Wieland; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Bellew; Clark; Damschen; DeKrey; Dosch; Frantsvog; Hawken; Hofstad; Holman; Johnson, D.; Johnson, N.; Keiser; Kelsh, J.; Kilichowski; Klein; Kroeber; Metcalf; Mueller; Nelson; Onstad; Porter; Ruby; Schneider; Wall; Weisz; Williams

**ABSENT AND NOT VOTING:** Boucher; Kerzman

HB 1268 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1521:** A BILL for an Act to amend and reenact section 57-39.2-02.1, subsection 1 of section 57-40.2-02.1, and sections 57-40.3-02 and 57-40.5-02 of the North Dakota Century Code, relating to the rate of sales, use, motor vehicle excise, and aircraft excise taxes; to provide an effective date; and to provide an expiration 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 44 YEAS, 47 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Boe; Boehning; Boucher; Conklin; Conrad; DeKrey; Delmore; Froelich; Grande; Griffin; Gruchalla; Hanson; Hunskor; Karls; Kasper; Kelsh, J.; Kelsh, S.; Koppelman; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Onstad; Pinkerton; Porter; Potter; Schatz; Schmidt; Schneider; Thoreson; Thorpe; Vig; Weiler; Williams; Winrich; Wolf; Wrangham; Zaiser

**NAYS:** Belter; Berg; Brandenburg; Carlson; Clark; Dahl; Damschen; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Meier, L.; Nelson; Nottestad; Pietsch; Pollert; Ruby; Rust; Skarphol; Sukut; Svedjan; Uglem; Vigesaa; Wald; Wall; Weisz; Wieland; Speaker Monson

**ABSENT AND NOT VOTING:** Ekstrom; Kempenich; Kerzman

HB 1521 lost.

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#### MOTION

**REP. VIGESAA MOVED** that HB 1572 be moved to the top of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1572:** A BILL for an Act to provide legislative intent as it relates to references to individual, person, or human being.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 51 YEAS, 41 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Damschen; DeKrey; Delzer; Dosch; Frantsvog; Froelich; Froseth; Grande; Headland; Heller; Hofstad; Hunskor; Johnson, D.; Karls; Kasper; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Meier, L.; Meyer, S.; Nathe; Pollert; Ruby; Rust; Schatz; Skarphol; Svedjan; Thoreson; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Monson

**NAYS:** Amerman; Boucher; Conklin; Conrad; Dahl; Delmore; Drovdal; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Holman; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kroeber; Martinson; Metcalf; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Schmidt; Schneider; Sukut; Thorpe; Uglem; Vig; Wall; Winrich; Wolf; Zaiser

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman

Engrossed HB 1572 passed and the title was agreed to.

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#### CONFLICT OF INTEREST

**REP. NATHE STATED** that he had a conflict of interest on HB 1477.

#### MOTION

**REP. CARLSON MOVED** that Rep. Nathe be allowed to vote on HB 1477, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1477:** A BILL for an Act to amend and reenact section 50-24.1-02.3 of the North Dakota Century Code, relating to the exempt amount of designated pre-need funeral service contracts in considering eligibility for medical assistance.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; 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; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Delzer; Headland; Pollert; Thorpe

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman

Engrossed HB 1477 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1478:** A BILL for an Act to amend and reenact section 50-29-04 of the North Dakota Century Code, relating to eligibility under the state children's health insurance program.

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

**YEAS:** Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovda; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; 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; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Bellew; Metcalf

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman

Engrossed HB 1478 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1243:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a child individual income tax credit; to amend and reenact subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to a child individual income tax credit; 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 NOT PASS, the roll was called and there were 24 YEAS, 67 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; DeKrey; Froelich; Grande; Griffin; Gruchalla; Kasper; Kelsh, J.; Kelsh, S.; Kroeber; Nathe; Onstad; Pinkerton; Potter; Ruby; Schatz; Schmidt; Schneider; Thoreson; Vig; Wald; Weiler; Zaiser

**NAYS:** Amerman; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; Delmore; Delzer; Dosch; Drovda; Frantsvog; Froseth; Glassheim; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Pietsch; Pollert; Porter; Rust; Skarphol; Sukut; Svedjan; Thorpe; Uglem; Vigesaa; Wald; Weisz; Wieland; Winrich; Wolf; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman; Williams

Engrossed HB 1243 lost.

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### SECOND READING OF HOUSE BILL

**HB 1517:** A BILL for an Act to amend and reenact subsection 2 of section 11-09.1-05 and subsection 16 of section 40-05.1-06 of the North Dakota Century Code, relating to a limitation on sales, use, and gross receipts taxes imposed by a county or city under home rule authority; 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 51 YEAS, 40 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovdal; Grande; Headland; Heller; Hofstad; Holman; Johnson, D.; Karls; Kasper; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Meyer, S.; Myxter; Nathe; Pollert; Porter; Ruby; Rust; Schatz; Schmidt; Skarphol; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Weiler; Weisz; Wrangham; Zaiser; Speaker Monson

**NAYS:** Amerman; Boe; Boucher; Conklin; Conrad; Delmore; Frantsvog; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Hunskor; Johnson, N.; Kaldor; Keiser; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Metcalf; Mock; Mueller; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Potter; Schneider; Sukut; Thorpe; Vig; Wall; Williams; Winrich; Wolf

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman; Wieland

Engrossed HB 1517 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1286:** A BILL for an Act to amend and reenact section 61-04-04.1 of the North Dakota Century Code, relating to water permit application fees.

### 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:** Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; 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; Wieland; Williams; Winrich; Wolf; Wrangham; Speaker Monson

**NAYS:** Boucher; Meyer, S.; Zaiser

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman

Engrossed HB 1286 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1439:** A BILL for an Act to amend and reenact section 16.1-13-08 of the North Dakota Century Code, relating to filling a vacancy in the office of United States senator.

**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 43 YEAS, 48 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Damschen; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Grande; Headland; Heller; Hofstad; Karls; Kasper; Kelsch, R.; Kempenich; Kingsbury; Koppelman; Kreidt; Meier, L.; Nathe; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham

**NAYS:** Amerman; Boe; Boucher; Conklin; Conrad; Dahl; DeKrey; Delmore; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsh, J.; Kelsh, S.; Kilichowski; Klein; Klemin; Kretschmar; Kroeber; Martinson; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pinkerton; Potter; Schmidt; Schneider; Sukut; Thorpe; Vig; Weisz; Winrich; Wolf; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman; Metcalf

HB 1439 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1441:** A BILL for an Act to amend and reenact section 39-12-07 of the North Dakota Century Code, relating to enforcement of weight restrictions by the highway patrol.

**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, 91 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**NAYS:** Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; 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; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman; Metcalf

HB 1441 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1442:** A BILL for an Act to amend and reenact sections 39-12-01, 39-12-03, and 39-12-05.3(2) of the North Dakota Century Code, relating to weight limitations.

**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 36 YEAS, 55 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Boehning; Brandenburg; Damschen; DeKrey; Delzer; Drovdal; Froelich; Froseth; Grande; Griffin; Headland; Hofstad; Johnson, D.; Johnson, N.; Kasper; Kempenich; Meier, L.; Metcalf; Meyer, S.; Nelson; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Uglem; Vig; Wald; Weisz; Wieland; Wrangham; Speaker Monson

**NAYS:** Amerman; Berg; Boe; Carlson; Clark; Conklin; Conrad; Dahl; Delmore; Dosch; Frantsvog; Glassheim; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Holman; Hunskor; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Mock; Mueller; Myxter; Nathe; Nottestad; Onstad; Pinkerton; Potter; Schmidt; Schneider; Sukut; Svedjan; Thoreson; Thorpe; Vigesaa; Wall; Weiler; Williams; Winrich; Wolf; Zaiser



**ABSENT AND NOT VOTING:** Boucher; Ekstrom; Kerzman

HB 1442 lost.

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### SECOND READING OF HOUSE BILL

**HB 1462:** A BILL for an Act to repeal sections 54-03-19.1 and 54-03-19.2, chapter 54-35.2, and section 54-40.3-03 of the North Dakota Century Code, relating to the legislative compensation commission and the advisory commission on intergovernmental relations.

### 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 47 YEAS, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Damschen; DeKrey; Delzer; Dosch; Drovda; Froseth; Grande; Hatlestad; Headland; Heller; Karls; Kasper; Keiser; Kempenich; Klein; Klemin; Koppelman; Kreidt; Meier, L.; Metcalf; Nathe; Pietsch; Pollert; Potter; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Speaker Monson

**NAYS:** Amerman; Boe; Boucher; Conklin; Conrad; Dahl; Delmore; Frantsvog; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hawken; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Kretschmar; Kroeber; Martinson; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pinkerton; Porter; Schmidt; Schneider; Thorpe; Vig; Weisz; Winrich; Wolf; Zaiser

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman

HB 1462 lost.

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### SECOND READING OF HOUSE BILL

**HB 1470:** A BILL for an Act to amend and reenact subsection 2 of section 20.1-13-07, sections 20.1-13.1-05 and 20.1-13.1-07, subsection 2 of section 20.1-13.1-08, subsection 1 of section 20.1-13.1-10, sections 20.1-13.1-12, 20.1-15-05, and 20.1-15-07, subsection 2 of section 20.1-15-08, subsection 3 of section 20.1-15-11, and sections 20.1-15-13 and 39-24.1-05 of the North Dakota Century Code, relating to blood alcohol content for boating, hunting, or operating snowmobiles.

### 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 37 YEAS, 55 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Conklin; Conrad; Delmore; Frantsvog; Froelich; Glassheim; Gruchalla; Hanson; Hatlestad; Heller; Holman; Hunskor; Johnson, N.; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klemin; Koppelman; Kretschmar; Metcalf; Mock; Mueller; Myxter; Nottestad; Onstad; Pinkerton; Potter; Schmidt; Schneider; Sukut; Winrich; Wolf; Zaiser

**NAYS:** Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovda; Froseth; Grande; Griffin; Hawken; Headland; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Klein; Kreidt; Kroeber; Martinson; Meier, L.; Meyer, S.; Nathe; Nelson; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Ekstrom; Kerzman

HB 1470 lost.

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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 1073, HB 1116, HB 1198, HB 1294, HB 1322, HB 1338, HB 1342, HB 1354, HB 1362, HB 1420, HB 1436, HB 1445, HB 1503, HB 1509, HB 1573, HCR 3015, HCR 3024, HCR 3030, HCR 3032.

**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 1305, HB 1361.

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

**MR. PRESIDENT:** The House has passed, the emergency clause failed, and your favorable consideration is requested on: HB 1472.

**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 2010, SB 2023, SB 2038, SB 2042, SB 2047, SB 2133, SB 2154, SB 2173, SB 2214, SB 2217, SB 2222, SB 2237, SB 2253, SB 2267, SB 2289, SB 2297, SB 2305, SB 2306, SB 2307, SB 2308, SB 2318, SB 2324, SB 2327, SB 2338, SB 2353, SB 2358, SB 2378, SB 2403, SB 2419, SB 2420, SB 2439.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2046, SB 2160.

**MOTION**

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

**MOTION**

**REP. VIGESAA 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 8:00 a.m., Wednesday, February 18, 2009, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1001: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (24 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1001 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "0" with "(30,000)" and replace "426,787" with "396,787"

Page 1, line 21, replace "286,536" with "256,536" and replace "3,489,358" with "3,459,358"

Page 1, line 23, replace "386,536" with "356,536" and replace "3,489,358" with "3,459,358"

Page 2, line 1, after "**AUTHORIZATION**" insert "- **LIMITATION**"

Page 2, line 4, after the period insert "Any federal funds made available to the governor's office resulting from federal action to provide funding to the states to stimulate the national economy or to address state fiscal recovery may be accepted under this section but may not be spent until appropriated by the legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98002.0101 FN 1**

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

**REPORT OF STANDING COMMITTEE**

**HB 1002: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (24 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1002 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first semicolon insert "to provide for a transfer;"

Page 1, line 3, replace "section" with "sections 16.1-01-15 and" and after "to" insert "interest earnings on the election fund and"

Page 1, line 16, replace "579,058" with "453,079" and replace "3,213,551" with "3,087,572"

Page 1, line 17, replace "1,123,769" with "1,096,769" and replace "3,182,950" with "3,155,950"

Page 1, line 21, replace "1,607,704" with "1,454,725" and replace "14,718,608" with "14,565,629"

Page 1, line 23, replace "1,566,591" with "1,413,612" and replace "5,803,630" with "5,650,651"

Page 1, line 24, replace "1.00" with "0.00" and replace "28.00" with "27.00"

Page 2, line 11, replace "1,600,091" with "1,472,112" and replace "6,140,630" with "6,012,651"

Page 2, line 13, replace "1,641,204" with "1,513,225" and replace "15,055,608" with "14,927,629"

Page 2, after line 13, insert:

**"SECTION 2. APPROPRIATION - TRANSFER.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$25,000, which the office of management and budget shall transfer to the secretary of state election fund for imputed interest earnings allocable to the amount of nonfederal funds contained in the election fund, for the biennium beginning July 1, 2009, and ending June 30, 2011."

Page 2, line 19, replace "\$824,153" with "\$824,153" and replace "\$780,000" with "\$780,000"

Page 2, after line 19, insert:

"Transfer to election fund	<u>0</u>	<u>25,000</u> "
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Page 2, line 20, replace "780,000" with "805,000"

Page 2, after line 24, insert:

**"SECTION 4. AMENDMENT.** Section 16.1-01-15 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-01-15. Secretary of state to establish and maintain an election fund.**

The secretary of state shall establish and maintain a fund, known as the election fund, in the state treasury for the purpose of depositing payments and grants made to the state under the provisions of sections 101, 101(c), and 906, and title III of the Help America Vote Act of 2002 [Pub. L. 107-252; 116 Stat. 1666; 42 U.S.C. 15301, 42 U.S.C. 15545, 42 U.S.C. 15481-15502], and funds appropriated by the state. The moneys in the election fund and any interest earnings on the election fund must be used for the exclusive purpose of carrying out activities of the Help America Vote Act of 2002 and are subject to chapter 54-16."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98003.0101 FN 1**

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

**REPORT OF STANDING COMMITTEE**

**HB 1004: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (24 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1004 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "99,436" with "(25,564)" and replace "909,985" with "784,985"

Page 1, line 14, replace "(10,000)" with "90,000" and replace "0" with "100,000"

Page 1, line 15, replace "50,000" with "0" and replace "150,000" with "100,000"

Page 1, line 16, replace "943,241" with "868,241" and replace "9,185,031" with "9,110,031"

Page 1, line 18, replace "1,216,213" with "1,141,213" and replace "6,872,229" with "6,797,229"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98005.0101 FN 1**

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

**REPORT OF STANDING COMMITTEE**

**HB 1005: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (24 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1005 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "135,028" with "145,028" and replace "960,483" with "970,483"

Page 1, line 14, replace "(154,000)" with "(214,000)" and replace "1,211,000" with "1,151,000"

Page 1, line 15, replace "(\$22,281)" with "(\$72,281)" and replace "2,302,961" with "2,252,961"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98006.0102 FN 1**

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

**REPORT OF STANDING COMMITTEE**

**HB 1011: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (23 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, line 2, after "commissioner" insert "; and to provide for a legislative council study"

Page 1, line 12, replace "148,006" with "123,006" and replace "706,441" with "681,441"

Page 1, line 13, replace "296,816" with "271,816" and replace "2,120,494" with "2,095,494"

Page 1, line 15, replace "196,816" with "171,816" and replace "1,803,295" with "1,778,295"

Page 2, after line 4, insert:

**"SECTION 3. LEGISLATIVE COUNCIL STUDY - SECURITIES COMMISSIONER FEES.** During the 2009-10 interim, the legislative council shall consider studying the structure and appropriateness of the level of fees charged by the securities commissioner. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98012.0101 FN 1**

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

**REPORT OF STANDING COMMITTEE**

**HB 1014: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 8 NAYS, 1 ABSENT AND NOT VOTING). HB 1014 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "674,391" with "543,320" and replace "4,727,907" with "4,596,836"

Page 1, line 14, replace "892,653" with "761,582" and replace "1,805,940" with "1,674,869"

Page 1, line 15, replace "1.00" with "0.00" and replace "28.50" with "27.50"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98015.0101 FN 1**

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

**REPORT OF STANDING COMMITTEE**

**HB 1213: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1213 was placed on the Sixth order on the calendar.

Page 1, line 2, after "employment" insert "; and to provide an effective date"

Page 2, after line 16, insert:

"**SECTION 2. EFFECTIVE DATE.** This Act becomes effective on January 1, 2010."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1284: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1284 was placed on the Sixth order on the calendar.

Page 5, line 26, after "provider" insert ", or any affiliate of the provider,"

Page 5, line 29, after "owner's" insert "present or future"

Page 5, line 30, after the second "or" insert "ownership of"

Page 10, line 27, after "**Licensing**" insert "**and bonding**"

Page 11, line 10, replace "chapter" with "title"

Page 13, remove line 4

Page 13, line 18, replace the underscored period with "; and

- f. If a provider or broker, has demonstrated evidence of financial responsibility in a format prescribed by the commissioner through a surety bond executed and issued by an insurer authorized to issue surety bonds in this state or through a deposit of cash, certificates of deposit, or securities or any combination thereof in the amount of one hundred fifty thousand dollars. The commissioner shall accept, as evidence of financial responsibility under this subdivision, proof that financial instruments in accordance with the requirements in this subdivision have been filed with one or more states in which the applicant is licensed as a provider or broker. The commissioner may ask for evidence of financial responsibility at any time the commissioner determines necessary. Any surety bond issued pursuant to this subdivision must specifically authorize recovery by the commissioner on behalf of any person in this state which sustained damages as the result of erroneous acts, failure to act, conviction of fraud, or conviction of unfair practices by the provider or broker.

Page 15, line 9, after "2." insert "The commissioner may suspend, revoke, or refuse to renew the license of a broker if the commissioner finds that the broker has violated this chapter or has otherwise engaged in bad-faith conduct with one or more owners.

3."

Page 22, replace lines 30 and 31 with:

- "e. The fact the owner has the right to rescind a life settlement contract before the earlier of sixty calendar days after the date upon which the life settlement contract is executed by all parties or thirty calendar days after the life settlement proceeds have been delivered to the escrow agent by or on behalf of the provider as provided in subsection 11 of section 26.1-33.4-10."

Page 23, line 1, remove "received the disclosures contained herein."

Page 24, line 17, after the underscored period insert "This contract may be made only by a provider or broker licensed in the state in which the owner resided at the time of the settlement or by the authorized representative of such a provider or broker."

Page 24, after line 31, insert:

- "s. If an insurance policy to be settled has been issued as a joint policy or involves family riders or any coverage of a life other than the insured under the policy to be settled, that the owner must be informed of the possible loss of coverage on the other lives under the policy and must be advised to consult with the owner's insurance producer or the insurer issuing the policy for advice on the proposed settlement.
- t. The dollar amount of the current death benefit payable to the provider under the policy or certificate. If known, the provider also shall disclose the availability of any additional guaranteed insurance benefits, the dollar amount of any accidental death and dismemberment benefits under the policy or certificate, and the extent to which the owner's interest in those benefits will be transferred as a result of the life settlement contract.
- u. Any affiliations or contractual arrangements between the provider and the purchaser."

Page 28, replace lines 20 through 27 with:

- "9. All life settlement contracts entered in this state must provide the owner with a right to rescind the contract before the earlier of sixty calendar days after the date upon which the life settlement contract is executed by all parties or thirty calendar days after the life settlement proceeds have been sent to the escrow agent by or on behalf of the provider as provided in subsection 11. Rescission by the owner may be conditioned upon the owner giving notice and repaying to the provider within the rescission period all proceeds of the settlement and any premiums, loans, and loan interest paid by or on behalf of the provider in connection with or as a consequence of the life settlement. If the insured dies during the rescission period, the life settlement contract is deemed to have been rescinded, subject to repayment to the provider or purchaser of all life settlement proceeds and any premiums, loans, and loan interest that have been paid by the provider or purchaser, within sixty calendar days of the death of the insured. In the event of any rescission, if the provider has paid commissions or other compensation to a broker in connection with the rescinded transaction, the broker shall refund all the commissions and compensation to the provider within five business days following receipt of written demand from the provider, which demand must be accompanied by either the owner's notice of rescission if rescinded at the election of the owner or notice of the death of the insured if rescinded by reason of the death of the insured within the applicable rescission period."

Page 29, replace line 3 with "the later to occur of the expiration of any then remaining rescission period or the escrow agent's receipt of the acknowledgment of the properly completed transfer of ownership, assignment, or designation of beneficiary from the insurance company."

Page 29, line 8, replace "thirty" with "sixty"

Page 29, replace lines 17 through 31 with:

- "14. It is a violation of this chapter for any person to enter a life settlement contract at any time before or at the time of the application for or issuance of a policy that is the subject of a life settlement contract or within a five-year period commencing with the date of issuance of the insurance policy or certificate unless the owner certifies to the provider or the provider otherwise conclusively shows that one or more of the following conditions have been met within the five-year period:
- a. The policy was issued upon the owner's exercise of conversion rights arising out of a group or individual policy, provided the total of the time covered under the conversion policy plus the time covered under the prior policy is at least sixty months. The time covered under a group

policy must be calculated without regard to any change in insurance carriers, provided the coverage has been continuous and under the same group sponsorship;

- b. The owner submitted independent evidence to the provider that one or more of the following conditions have been met within the five-year period:

    - (1) The owner or insured is terminally or chronically ill;
    - (2) The owner's spouse died or no remaining beneficiaries are then surviving;
    - (3) The owner retired from full-time employment; or
    - (4) The owner became physically or mentally disabled and a physician determined that the disability prevents the owner from maintaining full-time employment;
  - c. A final order, judgment, or decree has been entered by a court of competent jurisdiction, on the application of a creditor of the owner, adjudicating the owner in default, bankrupt, or insolvent, or approving a petition seeking reorganization of the owner or appointing a receiver, trustee, or liquidator to all or a substantial part of the owner's assets; or
  - d. The owner entered a life settlement contract more than two years after the date of issuance of a policy and, with respect to the policy, at all times before the date that is two years after policy issuance, the following conditions are met:

    - (1) Policy premiums have been funded exclusively with unencumbered assets, including an interest in the life insurance policy being financed only to the extent of the policy's net cash surrender value, provided by, or fully recourse liability incurred by, the insured or a person described in paragraph 5 of subdivision b of subsection 11 of section 26.1-33.4-01;
    - (2) There is no agreement or understanding with any other person to guarantee any such liability or to purchase, or stand ready to purchase, the policy, including through an assumption or forgiveness of the loan; and
    - (3) Neither the insured nor the policy has been evaluated for settlement in connection with the issuance of the policy.
15. Copies of the independent evidence described in subdivision b of subsection 14 and documents required by subsection 1, 2, 3, or 7 must be submitted to the insurer when the provider submits a request to the insurer for verification of coverage. The copies must be accompanied by a letter of attestation from the provider that the copies are true and correct copies of the documents received by the provider.
16. If the provider submits to the insurer a copy of the owner's or insured's certification described in and the independent evidence required by subdivision b of subsection 14 when the provider submits a request to the insurer to effect the transfer of the policy or certificate to the provider, the copy is deemed to establish conclusively that the life settlement contract satisfies the requirements of this section and the insurer timely shall respond to the request."

Page 30, remove lines 1 through 26

Page 30, line 30, after "2." insert "The commissioner may establish standards for evaluating reasonableness of a payment under a life settlement contract for an individual who is terminally or chronically ill. This authority includes regulation of discount rates used to determine the amount paid in exchange for assignment, transfer, sale, devise, or bequest of a benefit under a life insurance policy insuring the life of an individual who is chronically or terminally ill."

3. The commissioner may establish appropriate licensing requirements, fees, and standards for continued licensure for providers and brokers.

4. "

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1293: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1293 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1359: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1359 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1376: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1376 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1397: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1397 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1400, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (15 YEAS, 9 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1400 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1473: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1473 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1515, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (15 YEAS, 9 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1515 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1553: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1553 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to repeal"

Page 1, remove line 2

Page 1, line 3, remove "restrictions on adult establishments;"

Page 4, line 14, after "means" insert "a business that is operated predominately as"

Page 4, line 17, replace "study" with "studio"

Page 6, line 24, replace "7.92" with "1.83"

Page 7, line 6, replace "7.92" with "1.83"

Page 7, replace lines 9 through 11 with:

**"SECTION 8. Application.** This Act does not apply to a sexually oriented business that is located within a county and which is regulated by the county or to a business that is located within city limits and which is regulated by ordinance."

Page 7, remove lines 25 and 26



Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1554: Political Subdivisions Committee (Rep. Wrangham, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1554 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to provide for application"

Page 1, line 6, overstrike "**(Effective through July 31, 2009)**"

Page 4, overstrike lines 14 and 15

Page 4, line 16, overstrike "1. A city may, by ordinance, extend the" and overstrike "city's zoning"

Page 4, line 17, remove "authority" and overstrike "to any quarter quarter section of unincorporated territory if a majority of"

Page 4, line 18, overstrike "the quarter quarter section is located within" and remove "one-half mile"

Page 4, line 19, remove ".80 kilometer" and overstrike "of the corporate limits of the city"

Page 4, line 25, overstrike the period

Page 4, overstrike lines 26 through 30

Page 5, line 1, overstrike "3. A city exercising its extraterritorial", remove "subdivision or", and overstrike "zoning authority"

Page 5, line 9, remove "cannot adopt any"

Page 5, remove lines 10 through 14

Page 5, line 15, remove "enforce those regulations for that area" and overstrike the period

Page 5, overstrike lines 16 through 30

Page 6, overstrike lines 1 through 31

Page 7, overstrike lines 1 through 10

Page 7, line 11, overstrike "8. For the purposes of this section, a quarter quarter section", remove "must", and overstrike "be"

Page 7, overstrike lines 12 through 14

Page 7, remove lines 15 through 18

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HCR 3021: Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3021 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3023: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3023 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3033: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HCR 3033 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "over 11,000,000 African-Americans" with "millions of people"

Page 1, remove lines 5 through 8

Page 1, line 25, remove the second "and"

Page 2, remove lines 1 and 2

Renumber accordingly

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Mueller, Hofstad, D. Johnson and Sens. Flakoll, Krauter, Wanzek introduced:

**HCR 3048:** A concurrent resolution directing the Legislative Council to study the bonding requirements placed on grain warehouses and buyers and ways to reduce further the financial risk of participants in the production, handling, and processing of grain.  
Was read the first time and referred to the **Agriculture Committee**.

Rep. Bellew introduced:

**HCR 3049:** A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to governmental budget expenditure limits; and to provide for application.  
Was read the first time and referred to the **Constitutional Revision Committee**.

Rep. Kretschmar introduced:

**HCR 3050:** A concurrent resolution for the amendment of sections 3 and 4 of article IV of the Constitution of North Dakota, relating to the election of members of the legislative assembly.  
Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. Kretschmar, Brandenburg, D. Johnson introduced:

**HCR 3051:** A concurrent resolution directing the Legislative Council to study imposition of criminal and civil penalties, fines, fees, and forfeitures by administrative rule.  
Was read the first time and referred to the **Judiciary Committee**.

Rep. Kretschmar and Sen. Nething introduced:

**HCR 3052:** A concurrent resolution to create and enact a new section to article V of the Constitution of North Dakota, relating to executive branch organization.  
Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. Mock, Boucher, Onstad and Sens. Nelson, O'Connell, Warner introduced:

**HCR 3053:** A concurrent resolution to create and enact a new section to article IV of the Constitution of North Dakota, relating to the establishment of an independent legislative redistricting commission; and for the amendment of sections 2, 3, and 4 of article IV of the Constitution of North Dakota, relating to legislative redistricting and the term of office of senators and representatives.  
Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. Weiler, Boucher, Carlson and Sens. Stenehjem, O'Connell, Triplett introduced:

**HCR 3054:** A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to establishment and use of a North Dakota legacy fund; and to provide an effective date.  
Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. Berg, Kretschmar, L. Meier, Schatz, Schneider and Sen. Nething introduced:

**HCR 3055:** A concurrent resolution to create and enact a new section to article IV of the Constitution of North Dakota, relating to the submission of laws to the electorate for approval.  
Was read the first time and referred to the **Constitutional Revision Committee**.

Rep. Pollert introduced:

**HCR 3056:** A concurrent resolution directing the Legislative Council to study the powers, duties, decisionmaking role, and the terms of the members of the state child protection team and to examine the best way to collect and preserve evidence in child protective service assessments.  
Was read the first time and referred to the **Human Services Committee**.

Reps. Winrich, Kretschmar, Wolf and Sen. Bakke introduced:

**HCR 3057:** A concurrent resolution for the amendment of section 7 of article IV of the Constitution of North Dakota, relating to the length of legislative sessions.  
Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. Kroeber, Mueller and Sen. Robinson introduced:

**HCR 3058:** A concurrent resolution for the amendment of section 24 of article X of the Constitution of North Dakota, relating to the permitted growth of the foundation aid stabilization fund.

Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. Winrich, Mueller and Sen. Triplett introduced:

**HCR 3059:** A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to establishment and use of an oil tax trust fund; and to provide an effective date.

Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. Wald, Delzer, Klein, Monson and Sens. Cook, Fischer introduced:

**HCR 3060:** A concurrent resolution for the amendment of subsection 2 of section 6 of article VIII of the Constitution of North Dakota, relating to the process for appointing members to the state board of higher education.

Was read the first time and referred to the **Constitutional Revision Committee**.

Reps. Boucher, Boe, Delmore introduced:

**HCR 3061:** A concurrent resolution directing the Legislative Council to study educational delivery to Indian students, ways to address the unique challenges of that effort, and the feasibility and desirability of utilizing contractual options for state-supported educational delivery.

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

Reps. S. Kelsh, DeKrey, Glassheim, Wrangham and Sens. Horne, Oehlke introduced:

**HCR 3062:** A concurrent resolution for the amendment of section 7 of article IV of the Constitution of North Dakota, relating to the length of legislative sessions.

Was read the first time and referred to the **Constitutional Revision Committee**.

#### **FIRST READING OF SENATE BILLS**

**SB 2005:** A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

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

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

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

**SB 2008:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions.

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

**SB 2011:** A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.

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

**SB 2017:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings.

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

**SB 2024:** A BILL for an Act to provide an appropriation for defraying the expenses of the racing commission.

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

**SB 2028:** A BILL for an Act to amend and reenact section 29-26-22 of the North Dakota Century Code, relating to repeal of the community service supervision fee.

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

**SB 2034:** A BILL for an Act to amend and reenact subsection 5 of section 57-51.1-03 of the North Dakota Century Code, relating to exemption from oil extraction tax on tertiary recovery projects that use carbon dioxide.

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

**SB 2051:** A BILL for an Act to amend and reenact section 57-51.1-07.3 of the North Dakota Century Code, relating to oil and gas research fund deposits.

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

**SB 2118:** A BILL for an Act to amend and reenact section 27-09.1-14 of the North Dakota Century Code, relating to compensation of jurors.

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

**SB 2162:** A BILL for an Act to create and enact two new sections to chapter 50-11.1 of the North Dakota Century Code, relating to self-declaration of an individual who provides early childhood services; to amend and reenact sections 50-11.1-02, 50-11.1-02.1, 50-11.1-03, 50-11.1-04, 50-11.1-06, 50-11.1-06.1, 50-11.1-06.2, 50-11.1-07, 50-11.1-07.1, 50-11.1-07.2, 50-11.1-07.3, 50-11.1-07.4, 50-11.1-07.5, 50-11.1-07.6, 50-11.1-07.8, 50-11.1-08, 50-11.1-09, 50-11.1-10, 50-11.1-11, 50-11.1-11.1, 50-11.1-12, and 50-11.1-13.1 of the North Dakota Century Code, relating to licensing and registration of early childhood services providers, investigation of early childhood services providers, denial or revocation of request for early childhood services provider licensure or registration, and resource and referral services; to repeal section 50-11.1-03.1 of the North Dakota Century Code, relating to cardiopulmonary resuscitation certification for a family child care home operator; to provide a penalty; and to provide an expiration date.

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

**SB 2171:** A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to the termination of a residential lease by a victim of domestic violence.

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

**SB 2178:** A BILL for an Act to provide an appropriation to the department of corrections and rehabilitation for community service supervision grants.

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

**SB 2184:** A BILL for an Act to amend and reenact subsection 5 of section 57-40.3-01 of the North Dakota Century Code, relating to exclusion of motor vehicle manufacturers' incentives or discounts from motor vehicle excise taxes; and to provide an effective date.

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

**SB 2212:** A BILL for an Act to amend and reenact section 15.1-38-02 of the North Dakota Century Code, relating to English language learners; and to provide an appropriation.

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

**SB 2216:** A BILL for an Act to amend and reenact section 12.1-34-07 of the North Dakota Century Code, relating to reimbursement for medical screening examinations that precede acute forensic medical examinations.

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

**SB 2218:** A BILL for an Act to create and enact a new section to chapter 19-02.1 and section 19-03.1-22.4 of the North Dakota Century Code, relating to requirements for prescribing and dispensing controlled substances and certain other specified drugs and requirements for dispensing controlled substances by means of the internet; to amend and reenact subsection 2 of section 19-02.1-15 and section 19-03.1-23 of the North Dakota Century Code, relating to the exclusion from the exemption for dispensing certain drugs and penalties for unlawful distribution or dispensing of controlled substances and counterfeit controlled substances by means of the internet; and to provide a penalty.

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

**SB 2223:** A BILL for an Act to provide for regional public transportation pilot projects; to provide for a report to the legislative assembly; and to provide an appropriation.

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

**SB 2231:** A BILL for an Act to provide for contracting with a statewide charitable food recovery and distribution organization; and to provide an appropriation.

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

**SB 2241:** A BILL for an Act to amend and reenact subsection 3 of section 39-12-02 of the North Dakota Century Code, relating to the fee for an overwidth vehicle or load.

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

**SB 2260:** A BILL for an Act to create and enact a new chapter to title 54 of the North Dakota Century Code, relating to state matching funds for individual development accounts; to amend and reenact subdivision n of subsection 1 of section 50-09-29 of the North

Dakota Century Code, relating to administration of the temporary assistance for needy families program; and to provide an appropriation.

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

**SB 2264:** A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a special season-long nonresident small game hunting license fee; and to amend and reenact subsection 1 of section 20.1-03-07 and subsection 2 of section 20.1-03-12 of the North Dakota Century Code, relating to nonresident small game hunting licenses and fees.

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

**SB 2268:** A BILL for an Act to create and enact a new section to chapter 43-19.1 of the North Dakota Century Code, relating to recognition of retired status for engineers; to amend and reenact sections 43-19.1-02, 43-19.1-03, 43-19.1-04, 43-19.1-05, 43-19.1-07, 43-19.1-08, 43-19.1-09, 43-19.1-10, 43-19.1-11, 43-19.1-12, 43-19.1-12.1, 43-19.1-13, 43-19.1-14, 43-19.1-15, 43-19.1-16, 43-19.1-16.1, 43-19.1-17, 43-19.1-18, 43-19.1-19, 43-19.1-20, 43-19.1-21, 43-19.1-22, 43-19.1-23, 43-19.1-24, 43-19.1-25, 43-19.1-26, 43-19.1-27, 43-19.1-29, 43-19.1-30, 43-19.1-31, and 43-19.1-33 of the North Dakota Century Code, relating to the regulation of professional engineers and professional land surveyors; and to provide a penalty.

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

**SB 2277:** A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to supplemental retiree benefit payments under the teachers' fund for retirement.

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

**SB 2311:** A BILL for an Act to provide statements of legislative intent regarding state employee compensation adjustments and state employee equity adjustments; and to provide for transfers.

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

**SB 2316:** A BILL for an Act to provide a recommendation concerning state cost-sharing for water retention projects.

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

**SB 2317:** A BILL for an Act to amend and reenact sections 61-24.7-01, 61-24.7-02, and 61-24.7-05 of the North Dakota Century Code, relating to the funding plan for the Red River valley water supply project.

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

**SB 2350:** A BILL for an Act to provide for the creation of an ethanol council; to amend and reenact section 4-24-09 of the North Dakota Century Code, relating to the agricultural commodity assessments funds; to provide a penalty; and to provide a continuing appropriation.

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

**SB 2367:** A BILL for an Act to create and enact a new section to chapter 39-24 of the North Dakota Century Code, relating to safety fees for snowmobiles; and to amend and reenact sections 39-22.3-04 and 39-29-01.1 of the North Dakota Century Code, relating to motor-powered recreational vehicle dealer licenses and safety fees for off-highway vehicles.

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

**SB 2369:** A BILL for an Act to provide for a legislative council study of allocation of property tax relief among renters.

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

**SB 2390:** A BILL for an Act to provide for a legislative council study of the establishment and development of certified technology parks.

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

**SB 2391:** 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 2401:** A BILL for an Act to provide for a legislative council study relating to requirements for plans and specifications and bids for public improvements.

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

**SB 2429:** A BILL for an Act to amend and reenact subsection 10 of section 39-06.1-06 of the North Dakota Century Code, relating to a violation of hours of service provisions for commercial drivers.

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

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

**Buell J. Reich, Chief Clerk**