

JOURNAL OF THE HOUSE

Sixty-first Legislative Assembly

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Bismarck, March 3, 2009

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

The prayer was offered by Pastor LaRue Goetz, Revival Prayer Fellowship, Bismarck.

The roll was called and all members were present except Representative Boucher.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER MONSON DEEMED approval of the amendments to SB 2041 and Engrossed SB 2208.

SB 2041 and Engrossed SB 2208, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. VIGESAA MOVED that Reengrossed SB 2229 be returned to the House floor from the **Finance and Taxation Committee** for the purpose of return to the Senate for correction, which motion prevailed.

MOTION

REP. VIGESAA MOVED that Reengrossed SB 2229 be returned to the Senate for the purpose of correction, which motion prevailed.

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

MR. PRESIDENT: The House accedes to the Senate request for the return of: SB 2229.

MOTION

REP. VIGESAA MOVED that SB 2028 be returned to the House floor from the **Appropriations Committee** and be placed on the 14th Order of Business on the following day's calendar, which motion prevailed.

MOTION

REP. VIGESAA MOVED that SB 2139, which is on the Fourteenth order, be laid over two legislative days, which motion prevailed.

MOTION

REP. VIGESAA MOVED that Engrossed SB 2051, which is on the Fourteenth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, Engrossed SB 2051 was rereferred.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3035: A concurrent resolution directing the Legislative Council to study the Mill and Elevator Association.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 45 YEAS, 47 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Brandenburg; Carlson; Clark; DeKrey; Delzer; Dosch; Drovda; Froseth; Grande; Hatlestad; Headland; Heller; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kilichowski; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Meier, L.; Myxter; Nathe; Pietsch; Porter; Ruby; Schatz; Schmidt; Skarphol; Sukut; Thoreson; Vigesaa; Wald; Weiler; Weisz; Wieland; Wrangham; Zaiser; Speaker Monson

NAYS: Amerman; Boehning; Boucher; Conklin; Conrad; Dahl; Damschen; Delmore; Ekstrom; Frantsvog; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hawken; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kelsh, J.; Kelsh, S.; Kerzman; Kingsbury; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Nelson; Nottestad; Onstad; Pinkerton;

Pollert; Potter; Rust; Schneider; Svedjan; Thorpe; Uglem; Vig; Wall; Williams; Winrich; Wolf

ABSENT AND NOT VOTING: Boe; Kempenich

Engrossed HCR 3035 was declared lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3048: A concurrent resolution directing the Legislative Council to study the bonding requirements placed on grain warehouses and buyers; ways to reduce further the financial risk of participants in the production, handling, and processing of grain; and the sale of grain to ethanol plants and processors, the payment for grain by such entities, and whether there exists a need for new or increased bonding and indemnification options to reduce financial risk.

ROLL CALL

The question being on the final adoption of the amended resolution, 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: Amerman; Belter; Boucher; Conklin; Conrad; Dahl; Damschen; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klemin; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Onstad; Pietsch; Pinkerton; Porter; Potter; Rust; Schmidt; Schneider; Sukut; Thorpe; Uglem; Vig; Wall; Williams; Winrich; Wolf; Zaiser

NAYS: Bellew; Berg; Boehning; Brandenburg; Carlson; Clark; DeKrey; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Grande; Headland; Heller; Karls; Kasper; Klein; Koppelman; Kreidt; Nathe; Nottestad; Pollert; Ruby; Schatz; Skarphol; Svedjan; Thoreson; Vigasaa; Wald; Weiler; Weisz; Wieland; Wrangham; Speaker Monson

ABSENT AND NOT VOTING: Boe

Engrossed HCR 3048 was declared adopted and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2128: A BILL for an Act to amend and reenact section 54-53-02 of the North Dakota Century Code, relating to the membership of the advisory transportation council of the upper great plains transportation institute.

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 78 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Delmore; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; 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; Skarphol; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Wieland; Williams; Winrich; Wolf; Speaker Monson

NAYS: Bellew; Damschen; DeKrey; Delzer; Dosch; Headland; Kasper; Keiser; Pollert; Thoreson; Weiler; Weisz; Wrangham; Zaiser

ABSENT AND NOT VOTING: Boe; Boucher

SB 2128, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2029: A BILL for an Act to amend and reenact section 54-35-24 of the North Dakota Century Code, relating to the expiration date of the commission on alternatives to incarceration; 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 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovda; Ekstrom; Frantsov; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsdor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsch, J.; Kelsch, 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; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Delzer

ABSENT AND NOT VOTING: Boe; Boucher

Engrossed SB 2029 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2055: A BILL for an Act to amend and reenact subsection 1 of section 65-01-15.1 of the North Dakota Century Code, relating to the burden of proof under the workers' compensation firefighter's and law enforcement officer's presumption.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovda; Ekstrom; Frantsov; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsdor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsch, J.; Kelsch, 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; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Boe; Boucher

SB 2055 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2056: A BILL for an Act to amend and reenact subsection 2 of section 65-05-28 of the North Dakota Century Code, relating to workers' compensation mileage reimbursement for injured employees' medical travel; 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 PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boehning; 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; 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; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Boe; Boucher

SB 2056 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2058: A BILL for an Act to amend and reenact section 65-02-21.1 and subsection 3 of section 65-05-28 of the North Dakota Century Code, relating to a distinction between workers' compensation independent medical examinations and independent medical reviews.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovda; Ekstrom; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; 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; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Froelich; Griffin; Schneider; Thorpe

ABSENT AND NOT VOTING: Boe; Boucher

SB 2058 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2071: A BILL for an Act to amend and reenact section 65-01-03 of the North Dakota Century Code, relating to the workers' compensation presumption of employment.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boehning; 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; 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; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Boe; Boucher

Engrossed SB 2071 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2078: A BILL for an Act to repeal section 52-02-02.1 of the North Dakota Century Code, relating to adult education and training student grants.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; 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, D.; 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; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Boe; Boucher

SB 2078 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2111: A BILL for an Act to amend and reenact subsection 7 of section 54-23.4-01 of the North Dakota Century Code, relating to crime victims compensation.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; 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, D.; 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; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Boe; Boucher

SB 2111 passed and the title was agreed to.

MOTION

REP. KEMPENICH MOVED that the House reconsider its action whereby Engrossed HCR 3035 failed to pass, which motion lost on a verification vote.

SECOND READING OF SENATE BILL

SB 2130: A BILL for an Act to amend and reenact section 52-04-22 of the North Dakota Century Code, relating to the federal advance interest repayment fund; and to provide a continuing appropriation.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boehning; 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; 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; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Boe; Boucher

SB 2130 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2134: A BILL for an Act to amend and reenact sections 12-48-03.1 and 12-48-03.2 of the North Dakota Century Code, relating to prison industries.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boehning; 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; 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; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Boe; Boucher

Engrossed SB 2134 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2136: A BILL for an Act to amend and reenact section 6-09.4-06 of the North Dakota Century Code, relating to lending and borrowing powers of the public finance authority.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; 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; 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; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Delzer

ABSENT AND NOT VOTING: Boe; Boucher

Engrossed SB 2136 passed and the title was agreed to.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1031, HB 1089, HB 1095, HB 1096, HB 1102, HB 1103, HB 1104, HB 1105, HB 1107, HB 1108, HB 1138, HB 1143, HB 1144, HB 1146.

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

MR. PRESIDENT: The Speaker has signed: SB 2036, SB 2050, SB 2054, SB 2067, SB 2126, SB 2127, SB 2142, SB 2143.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2096, SB 2097.

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

MR. PRESIDENT: The House has passed unchanged: SB 2034, SB 2137, SB 2146, SB 2147, SB 2148.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 3, 2009: HB 1031, HB 1089, HB 1095, HB 1096, HB 1102, HB 1103, HB 1104, HB 1105, HB 1107, HB 1108, HB 1138, HB 1143, HB 1144, HB 1146.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2036, SB 2050, SB 2054, SB 2067, SB 2126, SB 2127, SB 2142, SB 2143.

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

MR. SPEAKER: The President has signed: HB 1031, HB 1089, HB 1095, HB 1096, HB 1102, HB 1103, HB 1104, HB 1105, HB 1107, HB 1108, HB 1138, HB 1143, HB 1144, HB 1146.

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

MR. SPEAKER: The President has signed: SB 2036, SB 2050, SB 2054, SB 2067, SB 2126, SB 2127, SB 2142, SB 2143.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1026, HB 1114, HB 1133, HB 1134, HB 1148, HB 1152, HB 1154, HB 1156, HB 1157.

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fifth and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Wednesday, March 4, 2009, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2031: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2031 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2032, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2032 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2057, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2057 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2073: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2073 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2074: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2074 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2077: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2077 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2079, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2079 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2080, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2080 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2089: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2089 was placed on the Sixth order on the calendar.

Page 1, line 3, after "purposes" insert "; to repeal sections 57-02-24 and 57-02-25 of the North Dakota Century Code, relating to elimination of obsolete provisions relating to listing and assessment of severed coal and mineral interests"

Page 4, after line 3, insert:

"SECTION 2. REPEAL. Sections 57-02-24 and 57-02-25 of the North Dakota Century Code are repealed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2093: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2093 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2180: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2180 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2113: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2113 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2193: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2193 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2310, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2310 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3010: Constitutional Revision Committee (Rep. Koppelman, Chairman) recommends **DO NOT PASS** (6 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HCR 3010 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3019: Constitutional Revision Committee (Rep. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(8 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3019 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "general" with "primary"

Page 1, line 21, replace "citizens" with "taxpayers"

Page 1, line 22, replace "citizens" with "taxpayers"

Renumber accordingly

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

Buell J. Reich, Chief Clerk

