

JOURNAL OF THE HOUSE

Sixty-first Legislative Assembly

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Bismarck, April 10, 2009

The House convened at 8:30 a.m., with Speaker Monson presiding.

The prayer was offered by Rep. Bette Grande, District 41, Fargo.

The roll was called and all members were present except Representatives Froelich, Heller, N. Johnson, and Kingsbury.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER MONSON DEEMED approval of the amendments to Engrossed SB 2225 and Reengrossed SB 2228.

Engrossed SB 2225 and Reengrossed SB 2228, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on April 8, 2009, I have signed the following: HB 1024, HB 1037, HB 1038, HB 1048, HB 1060, HB 1064, HB 1067, HB 1069, HB 1086, HB 1091, HB 1094, HB 1101, HB 1109, HB 1121, HB 1123, HB 1126, HB 1127, HB 1128, HB 1130, HB 1131, HB 1135, HB 1136, HB 1139, HB 1140, HB 1142, HB 1147, HB 1153, HB 1159, HB 1168, and HB 1176.

Also, on April 8, 2009, I have signed the following: HB 1192, HB 1196, HB 1199, HB 1223, HB 1232, HB 1234, HB 1244, HB 1245, HB 1257, HB 1271, HB 1272, HB 1277, HB 1280, HB 1291, HB 1294, HB 1296, HB 1302, HB 1318, HB 1321, HB 1323, HB 1340, HB 1341, HB 1344, HB 1345, HB 1351, HB 1365, HB 1367, HB 1383, HB 1386, and HB 1389.

Also, on April 8, 2009, I have signed the following: HB 1402, HB 1403, HB 1413, HB 1420, HB 1428, HB 1475, HB 1477, HB 1484, HB 1491, HB 1495, HB 1497, HB 1505, HB 1525, HB 1545, HB 1566, and HB 1567.

REQUEST

REP. DEKREY REQUESTED that the do not concur in the Senate amendments to HB 1207 be considered separately, which request was granted.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1035 as printed on HJ page 1062 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1035: Reps. Kasper, Keiser, Boe.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to HB 1039 as printed on HJ page 1044 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1039: Reps. Klemin, Dahl, Wolf.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to HB 1041 as printed on HJ pages 1044-1045 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1041: Reps. Kingsbury, Dahl, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1151 as printed on HJ page 983 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1151: Reps. Nottestad, N. Johnson, Thorpe.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to Engrossed HB 1186 as printed on HJ pages 1140-1141 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1186: Reps. Koppelman, Klemin, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to HB 1252 as printed on HJ page 1118 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1252: Reps. Dahl, Boehning, Wolf.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do not concur in the Senate amendments to HB 1188 as printed on HJ page 1176 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1188: Reps. Porter, Damschen, Hanson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1239 as printed on HJ page 1176 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1239: Reps. Hofstad, DeKrey, Myxter.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1265 as printed on HJ page 1046 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1265: Reps. L. Meier, D. Johnson, Myxter.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RUBY MOVED that the House do not concur in the Senate amendments to Engrossed HB 1295 as printed on HJ page 984 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1295: Reps. Weisz, R. Kelsch, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1301 as printed on HJ pages 1087-1089 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1301: Reps. Nottestad, Ruby, Gruchalla.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to Engrossed HB 1308 as printed on HJ page 1086 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1308: Reps. Hatlestad, Kingsbury, Griffin.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1322 as printed on HJ page 919 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Reengrossed HB 1322: Reps. Damschen, Keiser, S. Kelsh.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do not concur in the Senate amendments to Engrossed HB 1327 as printed on HJ page 1272 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1327: Reps. Weisz, Hofstad, Holman.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do not concur in the Senate amendments to HB 1330 as printed on HJ page 1119 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1330: Reps. Kasper, Clark, Thorpe.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WRANGHAM MOVED that the House do not concur in the Senate amendments to Engrossed HB 1338 as printed on HJ page 957 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1338: Reps. Hatlestad, Koppelman, Kilichowski.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to Engrossed HB 1347 as printed on HJ page 1141 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1347: Reps. Koppelman, Boehning, Zaiser.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do not concur in the Senate amendments to HB 1360 as printed on HJ page 1089 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1360: Reps. Wall, Karls, Mock.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1368 as printed on HJ pages 1272-1273 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Reengrossed HB 1368: Reps. N. Johnson, Sukut, Schneider.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1399 as printed on HJ pages 1143-1144 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1399: Reps. Karls, Wall, J. Kelsh.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1400 as printed on HJ pages 1194-1219 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1400: Reps. Weisz, Bellew, Potter.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do not concur in the Senate amendments to Engrossed HB 1437 as printed on HJ page 1064 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1437: Reps. Uglem, Frantsovog, Potter.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1449 as printed on HJ page 1177 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1449: Reps. Keiser, DeKrey, Pinkerton.

MOTION

REP. DEKREY MOVED to defeat the do not concur on Engrossed HB 1207, which motion prevailed on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1207 as printed on HJ pages 1045-1046, which motion prevailed on a voice vote.

Engrossed HB 1207, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1207: A BILL for an Act to create and enact a new subsection to section 6-08.1-02 and a new section to chapter 27-13 of the North Dakota Century Code, relating to an exemption to bank confidentiality requirements for attorney trust account overdrafts and to the conduct of attorneys.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovda; Ekstrom; Frantsov; Froeth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunsdor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsch, J.; Kelsch, S.; Kempenich; Kerzman; Kilichowski; 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: Froelich; Heller; Johnson, N.; Kingsbury

Reengrossed HB 1207 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2237: A BILL for an Act to create and enact a new section to title 23 of the North Dakota Century Code, relating to a health care record registry.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 3 NAYS, 0 EXCUSED, 4 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; Frantsov; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunsdor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsch, J.; Kelsch, S.; Kempenich; Kerzman; Kilichowski; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; 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: Froeth; Ruby; Wald

ABSENT AND NOT VOTING: Froelich; Heller; Johnson, N.; Kingsbury

Engrossed SB 2237, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2333: A BILL for an Act to create and enact chapter 23-35.1 of the North Dakota Century Code, relating to the creation of regional public health networks; to provide an appropriation; and to provide a contingent appropriation.

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovda; Ekstrom; Frantsov; Froeth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunsdor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsch, J.; Kelsch, S.; Kempenich; Kerzman; Kilichowski; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; 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: Conrad; Potter

ABSENT AND NOT VOTING: Froelich; Heller; Johnson, N.; Kingsbury

Engrossed SB 2333, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4032: A concurrent resolution to create and enact a new section to article III of the Constitution of North Dakota, relating to vote requirements for local ordinances or initiated laws imposing requirements for supermajority votes; and to provide an effective date.

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

YEAS: Dosch; Hatlestad; Kelsch, R.; Meier, L.; Schneider

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

ABSENT AND NOT VOTING: Froelich; Heller; Johnson, N.; Kingsbury

SCR 4032, as amended, was declared lost.

SECOND READING OF SENATE BILL

SB 2363: A BILL for an Act to amend and reenact subsection 3 of section 50-22-02, subsection 1 of section 50-22-02.1, and sections 50-22-04 and 50-22-05 of the North Dakota Century Code, relating to registration of charitable organizations and professional fundraisers and to annual reports by charitable organizations; and to provide a penalty.

ROLL CALL

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

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

SB 2363 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2015: A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide for payment of correctional officer training expenses by other agencies; to provide contingent appropriations; and to declare an emergency.

ROLL CALL

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

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

Engrossed SB 2015, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

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

ROLL CALL

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

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

Engrossed SB 2017, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2020: A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to provide legislative intent; to provide for transfers; to provide legislative intent; to provide an exemption; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 80 YEAS, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Drovdal; Ekstrom; Frantsvog; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad;

Holman; Hunsakor; Johnson, D.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Potter; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Zaiser; Speaker Monson

NAYS: Bellew; Delzer; Dosch; Grande; Kasper; Meier, L.; Porter; Ruby; Weiler; Wrangham

ABSENT AND NOT VOTING: Froelich; Heller; Johnson, N.; Kingsbury

Engrossed SB 2020, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2030: A BILL for an Act providing an appropriation to the department of corrections and rehabilitation for the renovation and expansion project at the state penitentiary; to provide for a prison construction review committee; to provide legislative intent; to provide for a legislative council study; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 59 YEAS, 31 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovda; Frantsovog; Froeth; Grande; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hunsakor; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier, L.; Metcalf; Mueller; Myxter; Nathe; 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; Glassheim; Griffin; Holman; Kaldor; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kretschmar; Meyer, S.; Mock; Nelson; Nottestad; Onstad; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Williams; Winrich; Wolf; Zaiser

ABSENT AND NOT VOTING: Froelich; Heller; Johnson, N.; Kingsbury

Engrossed SB 2030, as amended, passed, the title was agreed to, but the emergency clause lost.

MOTION

REP. VIGESAA MOVED that the House stand in recess until 10:45 a.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Monson presiding.

SECOND READING OF SENATE BILL

SB 2075: A BILL for an Act to provide an appropriation to the state veterans' home for improvements associated with the new veterans' home; and to provide for a report to the budget section.

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 68 YEAS, 22 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Belter; Berg; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; DeKrey; Delmore; Ekstrom; Frantsovog; Froeth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hawken; Hofstad; Holman; Hunsakor; Johnson, D.; Kaldor; Karls; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Potter; Schatz; Schmidt;

Schneider; Sukut; Thorpe; Uglen; Vig; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Zaiser; Speaker Monson

NAYS: Bellew; Boehning; Damschen; Delzer; Dosch; Drovdal; Hatlestad; Headland; Kasper; Keiser; Kempenich; Meier, L.; Nathe; Porter; Ruby; Rust; Skarphol; Svedjan; Thoreson; Vigesaa; Weiler; Wrangham

ABSENT AND NOT VOTING: Froelich; Heller; Johnson, N.; Kingsbury

Engrossed SB 2075, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2324: A BILL for an Act to create and enact a new subsection to section 16.1-01-04 of the North Dakota Century Code, relating to qualifications of electors; to amend and reenact subsection 1 of section 15.1-09-11, sections 16.1-01-09, 16.1-01-09.1, 16.1-02-01, 16.1-02-02, and 16.1-02-05, subsection 2 of section 16.1-02-06, sections 16.1-02-07, 16.1-02-10, 16.1-02-13, 16.1-03-03, 16.1-03-19, 16.1-05-01, and 16.1-05-02, subsection 3 of section 16.1-05-04, sections 16.1-05-06, 16.1-09-02, 16.1-10-04.1, 16.1-11-06, 16.1-13-32, 16.1-15-15, 16.1-15-16, 16.1-15-34, 16.1-16-01, and 40-09-03, subsection 1 of section 40-21-02, sections 40-21-07 and 44-08-21, and subsection 2 of section 57-40.6-02 of the North Dakota Century Code, relating to absentee ballot deadlines for schools, initiative petitions, recall petitions, central voter file, political party organization, appointment of election judges and poll clerks, voter affidavits, statement of interests, political advertising disclaimers, certificates of endorsement, candidate petitions, spoiled ballot retention, canvassing boards, recounts, and city elections; and to provide for a legislative council study.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; 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; Uglen; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Delzer; Thorpe

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kingsbury

SB 2324, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2438: A BILL for an Act to create and enact two new sections to chapter 4-01 of the North Dakota Century Code, relating to the promotion of sustainably grown agricultural commodities; to provide a continuing appropriation; 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 62 YEAS, 29 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froelich; Froseth; Grande; Griffin; Hatlestad; Hawken; Headland; Hofstad; Holman; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kilichowski; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Meyer, S.; Nathe; Nelson; Nottestad; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Uglen; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Monson

NAYS: Amerman; Boucher; Conklin; Conrad; Ekstrom; Glassheim; Gruchalla; Hanson; Hunsakor; Kaldor; Kelsh, J.; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mock; Mueller; Myxter; Onstad; Pietsch; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Winrich; Wolf; Zaiser

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kingsbury

Reengrossed SB 2438, as amended, passed and the title was agreed to.

MOTION

REP. VIGESAA MOVED that SB 2393 and SCR 4030, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2002: A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovda; Ekstrom; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunsakor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; 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

NAYS: Froelich

ABSENT AND NOT VOTING: Boucher; Heller; Johnson, N.; Kingsbury

Engrossed SB 2002, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2006: A BILL for an Act to provide an appropriation for defraying the expenses of the aeronautics commission; to amend and reenact section 57-43.3-06 of the North Dakota Century Code, relating to use of special funds received by the aeronautics commission; 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 PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; 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; Hofstad; Holman; Hunsakor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; 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: Boucher; Heller; Johnson, N.; Kingsbury

SB 2006, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

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

ROLL CALL

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

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

SB 2008, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2011: A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide a statement of legislative intent.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunsakor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; 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

NAYS: Bellew; Delzer

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kingsbury

SB 2011, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2023: A BILL for an Act to provide an appropriation for defraying the expenses of the commission on legal counsel for indigents; and to create and enact a new section to chapter 54-61 of the North Dakota Century Code, relating to contracting for public defenders.

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

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

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

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kingsbury

Engrossed SB 2023, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act to provide an appropriation for defraying the expenses of the information technology department; to provide a contingent appropriation; to provide for transfers; to provide for a legislative council study; to provide statements of legislative intent; to provide for a report to the legislative council; to provide a continuing appropriation; to create and enact a new subsection to section 54-59-05 of the North Dakota Century Code, relating to the powers of the information technology department; to amend and reenact section 15.1-02-18 of the North Dakota Century Code, relating to membership of the statewide longitudinal data system committee; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 77 YEAS, 14 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Belter; Boehning; Delzer; Dosch; Froelich; Hatlestad; Headland; Kerzman; Nottestad; Pollert; Ruby; Weiler; Wrangham

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kingsbury

Engrossed SB 2021, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2162: A BILL for an Act to create and enact a new section to chapter 50-06 and two new sections to chapter 50-11.1 of the North Dakota Century Code, relating to criminal history record checks and to self-declaration of an individual who provides early childhood services; to amend and reenact subdivision g of subsection 2 of section 12-60-24 and 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 criminal history record checks, 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.

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 62 YEAS, 29 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Belter; Boe; Boucher; Carlson; Conklin; Conrad; Dahl; DeKrey; Delmore; Ekstrom; Frantsvog; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Hofstad; Holman; Hunskor; Johnson, D.; Kaldor; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Potter; Schmidt; Schneider; Sukut; Thorpe; Uglen; Vig; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Zaiser

NAYS: Bellew; Berg; Boehning; Brandenburg; Clark; Damschen; Delzer; Dosch; Drovdal; Froseth; Grande; Headland; Karls; Kasper; Kempenich; Klein; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Svedjan; Thoreson; Vigesaa; Wald; Weiler; Wrangham; Speaker Monson

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kingsbury

Engrossed SB 2162, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2332: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to creation of a health information technology office and advisory committee; to amend and reenact section 23-01-31 of the North Dakota Century Code, relating to the North Dakota health information technology steering committee; to provide an appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Belter; Berg; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Hofstad; Holman; Hunskor; Johnson, D.; Kaldor; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; 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; Thorpe; Uglen; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Bellew; Boehning; Headland; Karls; Kasper; Thoreson

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kingsbury

Engrossed SB 2332, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2402: A BILL for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to the homestead 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 PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

Engrossed SB 2402, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2013: A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; to provide for distribution amounts from permanent funds; to provide a transfer to the general fund; and to amend and reenact section 15-05-09 of the North Dakota Century Code, relating to board of university and school lands oil and gas leases.

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

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

Reengrossed SB 2013, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1023 as printed on HJ page 1173, which motion prevailed on a voice vote.

Engrossed HB 1023, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1023: A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; and to declare an emergency.

ROLL CALL

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

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

Reengrossed HB 1023 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1042 as printed on HJ page 1138, which motion prevailed on a voice vote.

HB 1042 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1042: A BILL for an Act to create and enact chapter 47-32 of the North Dakota Century Code, relating to technical corrections; to amend and reenact sections 1-02-12, 12.1-12-09, and 16.1-01-09, subdivision j of subsection 1 of section 54-07-01.2, subsection 2 of section 57-39.2-18, and section 57-40.2-09 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal sections 15.1-13-32 and 32-42-04 and chapter 33-06 of the North Dakota Century Code, relating to obsolete provisions.

ROLL CALL

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

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

Engrossed HB 1042 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Reengrossed HB 1044 as printed on HJ page 1062, which motion prevailed on a voice vote.

Reengrossed HB 1044, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1044: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to the development of a program for services to transition-aged youth at risk; and to provide a continuing appropriation.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Hofstad; Holman; Hunsakor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; 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; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Headland; Pollert; Weiler

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kerzman; Kingsbury; Schmidt

Reengrossed HB 1044 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1088 as printed on HJ pages 1116-1117, which motion prevailed on a voice vote.

Engrossed HB 1088, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1088: A BILL for an Act to amend and reenact subsections 1 and 5 of section 57-38-57 and subsection 1 of section 57-39.2-23 of the North Dakota Century Code, relating to the confidentiality of income tax and sales and use tax returns and return information.

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 82 YEAS, 7 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Damschen; Delmore; Delzer; Dosch; Drovda; Ekstrom; Frantsovog; Froelich; Froseth; Grande; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; 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; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Dahl; DeKrey; Glassheim; Griffin; Schneider; Weisz; Wieland

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kerzman; Kingsbury; Schmidt

Reengrossed HB 1088 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1093 as printed on HJ page 1140, which motion prevailed on a voice vote.

Engrossed HB 1093, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1093: A BILL for an Act to amend and reenact subsection 4 of section 43-41-02, subsection 4 of section 43-41-04, and subsection 1 of section 43-41-08 of the North Dakota Century Code, relating to the licensing of social workers.

ROLL CALL

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

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

Reengrossed HB 1093 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to Engrossed HB 1171 as printed on HJ page 1175, which motion prevailed on a voice vote.

Engrossed HB 1171, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1171: A BILL for an Act to amend and reenact sections 15.1-23-01, 15.1-23-03, 15.1-23-06, 15.1-23-08, and 15.1-23-17 of the North Dakota Century Code, relating to home education; 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 PASS, the roll was called and there were 51 YEAS, 38 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Froelich; Froseth; Grande; Headland; Hofstad; Hunsakor; Johnson, D.; Karls; Kasper; Kelsch, R.; Kempenich; Klein; Koppelman; Kreidt; Meier, L.; Nathe; Nelson; Pietsch; Pinkerton; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Monson

NAYS: Amerman; Boe; Boucher; Conklin; Conrad; Delmore; Drovdal; Ekstrom; Frantsvog; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Holman; Kaldor; Keiser; Kelsh, J.; Kelsh, S.; Kilichowski; Klemin; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nottestad; Onstad; Potter; Schneider; Sukut; Winrich; Wolf; Zaiser

ABSENT AND NOT VOTING: Heller; Johnson, N.; Kerzman; Kingsbury; Schmidt

Reengrossed HB 1171 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 1043, HB 1045, HB 1071, HB 1217, HB 1240, HB 1256, HB 1289, HB 1306, HB 1339, HB 1452, HB 1530, HB 1556, HB 1562.

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause failed: SB 2030.

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

MR. PRESIDENT: The House has amended and subsequently failed to pass: SCR 4032.

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

MR. PRESIDENT: The House has passed unchanged: SB 2363.

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

MR. PRESIDENT: The Speaker has signed: SB 2046, SB 2319, SB 2425, SCR 4027.

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2015, SB 2020, SB 2021, SB 2332, SB 2333.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2002, SB 2006, SB 2008, SB 2011, SB 2013, SB 2017, SB 2023, SB 2075, SB 2162, SB 2237, SB 2324, SB 2402, SB 2438.

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

MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2063.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1023, HB 1042, HB 1044, HB 1088, HB 1093, HB 1171, and HB 1207.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1035, HB 1039, HB 1041, HB 1151, HB 1186, HB 1188, HB 1207, HB 1239, HB 1252, HB 1265, HB 1295, HB 1301, HB 1308, HB 1322, HB 1327, HB 1330, HB 1338, HB 1347, HB 1360, and HB 1368 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1035: Reps. Kasper; Keiser; Boe
HB 1039: Reps. Klemin; Dahl; Wolf
HB 1041: Reps. Kingsbury; Dahl; Delmore
HB 1151: Reps. Nottestad; N. Johnson; Thorpe
HB 1186: Reps. Koppelman; Klemin; Delmore
HB 1188: Reps. Porter; Damschen; Hanson
HB 1207: Reps. Klemin; Kretschmar; Griffin
HB 1239: Reps. Hofstad; DeKrey; Myxter
HB 1252: Reps. Dahl; Boehning; Wolf
HB 1265: Reps. L. Meier; D. Johnson; Myxter
HB 1295: Reps. Weisz; R. Kelsch; Delmore
HB 1301: Reps. Nottestad; Ruby; Gruchalla
HB 1308: Reps. Hatlestad; Kingsbury; Griffin
HB 1322: Reps. Damschen; Keiser; S. Kelsh
HB 1327: Reps. Weisz; Hofstad; Holman
HB 1330: Reps. Kasper; Clark; Thorpe
HB 1338: Reps. Hatlestad; Koppelman; Kilichowski
HB 1347: Reps. Koppelman; Boehning; Zaiser
HB 1360: Reps. Wall; Karls; Mock
HB 1368: Reps. N. Johnson; Sukut; Schneider

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1399, HB 1400, HB 1425, HB 1437, and HB 1449 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1399: Reps. Karls; Schatz; J. Kelsh
HB 1400: Reps. R. Kelsch; Wall; Mueller
HB 1425: Reps. Weisz; Bellew; Potter
HB 1437: Reps. Uglem; Frantsovog; Potter
HB 1449: Reps. Keiser; DeKrey; Pinkerton

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

MR. SPEAKER: The Senate has reconsidered its action whereby it did not concur with the House amendments to SB 2229 and wishes to inform you that the Senate does now concur with the House amendments to SB 2229 and subsequently failed to pass the same. Also, the Senate has dissolved the Senate Conference Committee on SB 2229.

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

MR. SPEAKER: The President has signed: HB 1231, HB 1346, HB 1350.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1032, HCR 3008, HCR 3013, HCR 3025, HCR 3032.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1304, HB 1418.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1304

In lieu of the amendments adopted by the Senate as printed on page 810 of the Senate Journal, Reengrossed House Bill No. 1304 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to allocation of oil and gas gross production taxes; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 57-51-15 of the North Dakota Century Code is amended and reenacted as follows:

57-51-15. Apportionment and use of proceeds of tax. The gross production tax provided for in this chapter must be apportioned as follows:

1. First the tax revenue collected under this chapter equal to one percent of the gross value at the well of the oil and one-fifth of the tax on gas must be deposited with the state treasurer who shall ~~credit~~:
 - a. ~~Credit~~ thirty-three and one-third percent of the revenues to the oil and gas impact grant fund, but not in an amount exceeding six million dollars per biennium, ~~including any amounts otherwise appropriated for oil and gas impact grants for the biennium by the legislative assembly, and who shall credit~~;
 - b. Allocate five hundred thousand dollars per fiscal year to each city in an oil-producing county which has a population of seven thousand five hundred or more and more than two percent of its private covered employment engaged in the mining industry, according to data compiled by job service North Dakota. The allocation under this subdivision must be doubled if the city has more than seven and one-half percent of its private covered employment engaged in the mining industry, according to data compiled by job service North Dakota; and
 - c. Credit the remaining revenues to the state general fund.
2. After deduction of the amount provided in subsection 1, annual revenue collected under this chapter from oil and gas produced in each county must be allocated as follows:
 - a. ~~The first one two million dollars of annual revenue after the deduction of the amount provided for in subsection 1 from oil or gas produced in any county must be allocated to that the county.~~
 - b. ~~The second next one million dollars of annual revenue after the deduction for the amount provided for in subsection 1 from oil and gas produced in any county must be allocated seventy-five percent to that the county and twenty-five percent to the state general fund.~~
 - c. ~~The third next one million dollars of annual revenue after the deduction of the amount provided for in subsection 1 from oil or gas produced in any county must be allocated fifty percent to that the county and fifty percent to the state general fund. All annual revenue after the deduction of the amount provided for in subsection 1 above three million dollars from oil or gas produced in any county~~
 - d. The next fourteen million dollars must be allocated twenty-five percent to that the county and seventy-five percent to the state general fund. However, the
 - e. All annual revenue remaining after the allocation in subdivision d must be allocated ten percent to the county and ninety percent to the state general fund.
3. The amount to which each county is entitled pursuant to this under subsection 2 must be limited based upon the population of allocated within the county according to the last official decennial federal census as follows:
 - a. ~~Counties having a population of three thousand or less shall receive no more than three million nine hundred thousand dollars for each fiscal year; however, a county may receive up to four million nine hundred thousand dollars under this subdivision for each fiscal year if during that fiscal year the county levies a total of at least ten mills for combined levies for county road and bridge, farm to market and federal aid road, and county road purposes. Any amount received by~~

~~a county exceeding three million nine hundred thousand dollars under this subdivision is not subject to allocation under subsection 3 but must be credited by the county treasurer to the county general fund.~~

- ~~b. Counties having a population of over three thousand but less than six thousand shall receive no more than four million one hundred thousand dollars for each fiscal year; however, a county may receive up to five million one hundred thousand dollars under this subdivision for each fiscal year if during that fiscal year the county levies a total of at least ten mills for combined levies for county road and bridge, farm to market and federal aid road, and county road purposes. Any amount received by a county exceeding four million one hundred thousand dollars under this subdivision is not subject to allocation under subsection 3 but must be credited by the county treasurer to the county general fund.~~
- ~~e. Counties having a population of six thousand or more shall receive no more than so the first four million six hundred thousand dollars is allocated under subsection 4 for each fiscal year; however, a county may receive up to five million six hundred thousand dollars under this subdivision for each fiscal year if during that fiscal year the county levies a total of ten mills or more for combined levies for county road and bridge, farm to market and federal aid road, and county road purposes. Any and any amount received by a county exceeding four million six hundred thousand dollars under this subdivision is not subject to allocation under subsection 3 but must be credited by the county treasurer to the county general infrastructure fund and allocated under subsection 5.~~

~~Any allocations for any county pursuant to this subsection which exceed the applicable limitation for that county as provided in subdivisions a through e must be deposited instead in the state's general fund.~~

- ~~3. 4. a. Forty-five percent of all revenues as may by the legislative assembly be allocated to any county hereunder for allocation under this subsection must be credited by the county treasurer to the county general fund. However, the allocation to a county under this subdivision must be credited to the state general fund if during that fiscal year the county does not levy a total of at least ten mills for combined levies for county road and bridge, farm-to-market and federal-aid road, and county road purposes.~~
- ~~b. Thirty-five percent of all revenues allocated to any county for allocation under this subsection must be apportioned by the county treasurer no less than quarterly to school districts within the county on the average daily attendance distribution basis, as certified to the county treasurer by the county superintendent of schools. However, no school district may receive in any single academic year an amount under this subsection greater than the county average per student cost multiplied by seventy percent, then multiplied by the number of students in average daily attendance or the number of children of school age in the school census for the county, whichever is greater. Provided, however, that in any county in which the average daily attendance or the school census, whichever is greater, is fewer than four hundred, the county is entitled to one hundred twenty percent of the county average per student cost multiplied by the number of students in average daily attendance or the number of children of school age in the school census for the county, whichever is greater. Once this level has been reached through distributions under this subsection, all excess funds to which the school district would be entitled as part of its thirty-five percent share must be deposited instead in the county general fund. The county superintendent of schools of each oil-producing county shall certify to the county treasurer by July first of each year the amount to which each school district is limited pursuant to this subsection. As used in this subsection, "average daily attendance" means the average daily attendance for the school year immediately preceding the certification by the county superintendent of schools required by this subsection.~~

- c. ~~Twenty percent of all revenues allocated to any county hereunder for allocation under this subsection must be paid apportioned no less than quarterly by the state treasurer to the incorporated cities of the county. Apportionment among cities under this subsection must be based upon the population of each incorporated city according to the last official decennial federal census. A city may not receive an allocation for a fiscal year under this subsection and subsection 5 which totals more than seven hundred fifty dollars per capita. Once this level has been reached through distributions under this subsection, all excess funds to which any city would be entitled except for this limitation must be deposited instead in that county's general fund. Provided, however, that in~~ In determining the population of any city in which total employment increases by more than two hundred percent seasonally due to tourism, the population of that city for purposes of determining the per capita limitation in this section subdivision must be increased by adding to the population of the city as determined by the last official decennial federal census a number to be determined as follows:
- a. ~~Seasonal employees of state and federal tourist facilities within five miles [8.05 kilometers] of the city must be included by adding the months all such employees were employed during the prior year and dividing by twelve.~~
- b. ~~Seasonal employees of all private tourist facilities within the city and seasonal employees employed by the city must be included by adding the months all such employees were employed during the prior year and dividing by twelve.~~
- e. ~~The number of visitors to the tourist attraction within the city or within five miles [8.05 kilometers] of the city which draws the largest number of visitors annually must be included by taking the smaller of either of the following:~~
- (1) ~~The total number of visitors to that tourist attraction the prior year divided by three hundred sixty five; or~~
- (2) ~~Four hundred twenty eight hundred percent. If a city receives a direct allocation under subsection 1, the allocation to that city under this subsection is limited to sixty percent of the amount otherwise determined for that city under this subsection and the amount exceeding this limitation must be reallocated among the other cities in the county.~~
5. a. Forty-five percent of all revenues allocated to a county infrastructure fund under subsection 3 must be credited by the county treasurer to the county general fund. However, the allocation to a county under this subdivision must be credited to the state general fund if during that fiscal year the county does not levy a total of at least ten mills for combined levies for county road and bridge, farm-to-market and federal aid road, and county road purposes.
- b. Thirty-five percent of all revenues allocated to the county infrastructure fund under subsection 3 must be allocated by the board of county commissioners to or for the benefit of townships in the county on the basis of applications by townships for funding to offset oil and gas development impact to township roads or other infrastructure needs. An organized township is not eligible for an allocation of funds under this subdivision unless during that fiscal year that township levies at least ten mills for township purposes. For unorganized townships within the county, the board of county commissioners may expend an appropriate portion of revenues under this subdivision to offset oil and gas development impact to township roads or other infrastructure needs in those townships. The amount deposited during each calendar year in the county infrastructure fund which is designated for allocation under this subdivision and which is unexpended and unobligated at the end of the calendar year must be transferred by the county treasurer to the county road and bridge fund for use on county road and bridge projects.

- c. Twenty percent of all revenues allocated to any county infrastructure fund under subsection 3 must be allocated by the county treasurer no less than quarterly to the incorporated cities of the county. Apportionment among cities under this subsection must be based upon the population of each incorporated city according to the last official decennial federal census. A city may not receive an allocation for a fiscal year under this subsection and subsection 4 which totals more than seven hundred fifty dollars per capita. Once this per capita limitation has been reached, all excess funds to which a city would otherwise be entitled must be deposited instead in that county's general fund. If a city receives a direct allocation under subsection 1, the allocation to that city under this subsection is limited to sixty percent of the amount otherwise determined for that city under this subsection and the amount exceeding this limitation must be reallocated among the other cities in the county.
- 6. Within ninety days after the end of each fiscal year, the board of county commissioners of each county that has received an allocation under this section shall file a report for the fiscal year with the energy development impact office, in a format prescribed by the energy development impact office, showing:
 - a. The amount received by the county in its own behalf, the amount of those funds expended for each purpose to which funds were devoted, and the share of county property tax revenue expended for each of those purposes, and the amount of those funds unexpended at the end of the fiscal year; and
 - b. The amount available in the county infrastructure fund for allocation to or for the benefit of townships, the amount allocated to each organized township and the amount expended from each such allocation by that township, the amount expended by the board of county commissioners on behalf of each unorganized township for which an expenditure was made, and the amount available for allocation to or for the benefit of townships which remained unexpended at the end of the fiscal year.

By the end of the calendar year when reports under this subsection were received, the energy development impact office shall provide a report to the legislative council compiling the information from reports received under this subsection and information on oil and gas impact grants awarded during the fiscal year for which the reports were received.

SECTION 2. EFFECTIVE DATE. This Act is effective for taxable events occurring after June 30, 2009."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1418

Page 1, line 3, after "facilities" insert "; and to provide an appropriation"

Page 2, after line 7, insert:

- "4. The department shall coordinate with other state agencies as necessary to implement the provisions of this section.

SECTION 2. APPROPRIATION. There is appropriated out of any moneys from federal funds made available to the state from federal action to provide funding to the states to stimulate the national economy or to address state fiscal recovery and other income, the sum of \$3,644,000, or so much of the sum as may be necessary, to the department of human services for the purpose of implementing programs associated with early childhood care services under section 1 of this Act, for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 3. ADDITIONAL FUNDS. Subject to approval by the emergency commission and budget section, the department of human services may accept and spend federal or other funds in excess of those funds appropriated in section 2 of this Act for early childhood care programs, for the biennium beginning July 1, 2009, and ending June 30, 2011."

Renumber accordingly

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1083.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2027, SB 2028, SB 2059, SB 2060, SB 2069, SB 2110, SB 2125, SB 2141, SB 2152, SB 2161, SB 2165, SB 2172, SB 2178, SB 2212, SB 2232, SB 2248, SB 2308, SB 2316, SB 2371, and SB 2401 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2027: Sens. Cook; Dever; Nelson
SB 2028: Sens. Lyson; Olafson; Nelson
SB 2059: Sens. Wanzek; Nodland; Horne
SB 2060: Sens. Potter; Andrist; Nodland
SB 2069: Sens. Nething; Lyson; Fiebiger
SB 2110: Sens. Klein; Nodland; Behm
SB 2125: Sens. Wanzek; Miller; Heckaman
SB 2141: Sens. Lyson; Hogue; Triplett
SB 2152: Sens. Olafson; Nething; Schneider
SB 2161: Sens. Lyson; Olafson; Nelson
SB 2165: Sens. Freborg; Erbele; Pomeroy
SB 2172: Sens. Lyson; Olafson; Nelson
SB 2178: Sens. Lyson; Nething; Fiebiger
SB 2212: Sens. Freborg; G. Lee; Bakke
SB 2232: Sens. Lyson; Olafson; Fiebiger
SB 2248: Sens. Klein; Miller; Behm
SB 2308: Sens. Klein; Wanzek; Horne
SB 2316: Sens. Lyson; Hogue; Triplett
SB 2371: Sens. Miller; Wanzek; Behm
SB 2401: Sens. Olafson; J. Lee; Bakke

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

MR. SPEAKER: The Senate has failed to pass unchanged: HB 1313, HB 1348, HB 1419, HB 1503, HCR 3009, HCR 3029, HCR 3031, HCR 3037, HCR 3052, HCR 3058.

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, April 13, 2009, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1202: Your conference committee (Sens. Wanzek, Andrist, Horne and Reps. Vigesaa, Keiser, Schneider) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 0939-0940 and place HB 1202 on the Seventh order.

HB 1202 was placed on the Seventh order of business on the calendar.

REPORT OF STANDING COMMITTEE

SB 2014, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (24 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Reengrossed SB 2014 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to create and enact two new sections to chapter 54-18 of the North Dakota Century Code, relating to mill and elevator profits and gain sharing;"

Page 1, line 7, remove "and" and after "transfers" insert "; and to declare an emergency"

Page 1, line 19, replace "2,733,761" with "2,138,453" and replace "9,941,305" with "9,345,997"

Page 1, line 20, replace "609,886" with "459,886" and replace "2,865,576" with "2,715,576"

Page 1, line 24, replace the first "1,000,000" with "200,000" and replace the second "1,000,000" with "200,000"

Page 2, line 5, replace "(15,000,000)" with "(20,000,000)" and replace "5,000,000" with "0"

Page 2, line 6, replace "(\$14,399,304)" with "(\$20,944,612)" and replace "66,269,046" with "59,723,738"

Page 2, line 7, replace "(20,071,262)" with "(20,083,862)" and replace "49,321,084" with "49,308,484"

Page 2, line 8, replace "\$5,671,958" with "(\$860,750)" and replace "16,947,962" with "10,415,254"

Page 2, line 14, replace "6,698,389" with "6,490,407" and replace "41,970,256" with "41,762,274"

Page 2, line 17, replace "6,253,389" with "6,045,407" and replace "43,425,256" with "43,217,274"

Page 2, line 29, replace the first "1,400,000" with "700,000" and replace the second "1,400,000" with "700,000"

Page 3, line 2, replace "1,400,000" with "700,000" and replace "11,750,000" with "11,050,000"

Page 3, line 5, replace "1,400,000" with "700,000" and replace "10,800,000" with "10,100,000"

Page 3, line 20, replace "1,533,535" with "1,151,836" and replace "6,230,247" with "5,848,548"

Page 3, line 25, replace "(\$297,102)" with "(\$678,801)" and replace "41,232,188" with "40,850,489"

Page 3, line 27, replace "4.00" with "2.00" and replace "47.00" with "45.00"

Page 4, line 1, replace "\$7,071,958" with "(\$160,750)" and replace "27,747,962" with "20,515,254"

Page 4, line 2, replace "(10,823,342)" with "21,934,951" and replace "174,985,770" with "207,744,063"

Page 4, line 3, replace "(\$3,751,384)" with "\$21,774,201" and replace "202,733,732" with "228,259,317"

Page 4, line 12, replace "1,000,000" with "200,000"

Page 4, remove line 14

Page 4, line 16, replace "7,493,152" with "1,693,152"

Page 7, line 29, replace "\$1,000,000" with "\$200,000"

Page 7, line 31, after the period insert "The use of funds provided for in this section must be approved by the lignite research council."

SECTION 13. MILL AND ELEVATOR - EVALUATION. The industrial commission shall obtain the services of a consultant to evaluate the state mill and elevator association. The evaluation must include a comparison to industry standards of:

1. Financial data reflected on balance sheets and income statements;
2. Cashflow data;
3. Ratio analyses of working capital, operating efficiency, marketing, and other ratios;
4. Liquidity ratios to determine appropriate working capital needed for the mill;
5. Pretax income levels;

6. Capital investment levels; and
7. Officer and employee compensation guidelines, including gain sharing programs.

The industrial commission shall report to the budget section on the results of the evaluation during the 2009-10 interim.

SECTION 14. HOUSING FINANCE AGENCY FINANCING - PILOT PROJECT.

The housing finance agency may establish a pilot project using funds available in subdivision 5 of section 1 of this Act to provide incentives for private sector investment in single-family residential dwelling units and multifamily housing facilities in difficult-to-develop areas of the state, for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 15. LEGISLATIVE INTENT - LAND PURCHASE. It is the intent of the sixty-first legislative assembly that to the best of its ability the Bank of North Dakota ensure that properties adjacent to Bank of North Dakota property northwest of west street are developed for uses that are consistent with the mission and purpose of the Bank of North Dakota.

SECTION 16. LEGISLATIVE INTENT - COLLEGE SAVE PROGRAM INCENTIVE. It is the intent of the sixty-first legislative assembly that the Bank of North Dakota use administrative fee collections associated with the Bank's college SAVE program to provide incentives to establish 529 college savings plans under the Bank's college SAVE program.

SECTION 17. Two new sections to chapter 54-18 of the North Dakota Century Code are created and enacted as follows:

Transfer of North Dakota mill and elevator profits to general fund. The industrial commission shall transfer to the state general fund seventy percent of the annual earnings and undivided profits of the North Dakota mill and elevator association. The moneys must be transferred in the amounts and at the times requested by the director of the office of management and budget. A transfer must be made under this section if the total net assets balance of the mill and elevator is at least twenty-five percent of the mill and elevator's total annual operating budget for that same year.

Gain sharing program. The industrial commission may not approve a gain sharing program for mill and elevator employees from mill and elevator profits unless the total net assets balance of the mill and elevator is at least twenty-five percent of the mill and elevator's total annual operating budget for that same year. Any legislatively authorized transfers to the state general fund must be made before a gain sharing program is approved. The goals and participation criteria for the gain sharing program must be designated in policy established by the industrial commission. The industrial commission shall report to the budget section regarding any approved gain sharing program at the first meeting after August thirty-first of each year. For the purpose of this section, "gain sharing program" means a program approved annually by the industrial commission with provisions that promote profitability, productivity, and safety.

SECTION 18. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the industrial commission, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Renewable energy development	\$3,000,000
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The industrial commission may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

SECTION 19. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the housing finance agency, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

HOME tax credit assistance program	\$4,860,574
Housing tax credit exchange program	25,500,000
Total federal funds	\$30,360,574

The housing finance agency may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available."

Page 8, after line 2, insert:

"SECTION 21. EMERGENCY. Sections 18 and 19 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98033.0316 FN 6

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

REPORT OF STANDING COMMITTEE

SB 2064, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 11 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2064 was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the House as printed on page 921 of the House Journal, Engrossed Senate Bill No. 2064 is further amended as follows:

Page 1, line 10, remove "sixty" and overstrike "dollars" and insert immediately thereafter "an amount established by policy by the director of the office of management and budget. The director shall establish a policy to set the lodging reimbursement at an amount not to exceed ninety percent of the rate established by the United States general services administration for lodging reimbursement in this state"

Page 2, replace lines 6 through 10 with:

- "2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed ~~a maximum of nine hundred dollars~~ per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state, ~~at the rates and in the manner~~ and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to the number of days in each month times fifty-five percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04."

Page 2, replace lines 30 and 31 with:

- "b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state

employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed ~~nine hundred dollars per month~~ the maximum monthly reimbursement allowed under subdivision a of subsection 2."

Page 3, remove lines 1 through 9

Page 4, line 22, replace "the" with "a" and replace "of seventy cents per mile [1.61 kilometers] with "equal to one and one-half times the mileage reimbursement amount established under subdivision c for travel by motor vehicle"

Page 5, line 16, replace "the same" with "ninety percent of the"

Page 6, line 29, remove "1,"

Page 6, line 30, after the second comma insert "section 1 of this Act becomes effective on August 1, 2009,"

Renumber accordingly

REPORT OF STANDING COMMITTEE (MAJORITY)

SB 2199, as reengrossed: Finance and Taxation (Rep. W. Belter, Chairman) A MAJORITY of your committee (Reps. Belter, Drovdal, Brandenburg, Froseth, Grande, Headland, Weiler) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

In lieu of the amendments adopted by the House as printed on pages 960 and 961 of the House Journal, Reengrossed Senate Bill No. 2199 is amended as follows:

Page 1, line 1, after "Act" insert "to create a property tax relief sustainability fund;"

Page 1, line 4, replace "and" with a comma and after "57-15-31" insert ", and 57-38-30 and subsection 1 of section 57-38-30.3"

Page 1, line 5, after "districts" insert ", corporate income tax rates, and income tax rates for individuals, estates, and trusts" and after the second semicolon insert "to provide for transfers;"

Page 2, line 22, after "4." insert "The authority for a levy of up to a specific number of mills under this section approved by electors of a school district before July 1, 2009, is terminated effective for taxable years after 2012. If the electors of a school district subject to this subsection have not approved a levy for taxable years after 2012 of up to a specific number of mills under this section by December 31, 2012, the school district levy limitation for subsequent years is subject to the limitations under section 57-15-01.1 or this section.

5."

Page 2, line 23, replace "2010" with "2012"

Page 2, line 24, after "of" insert "up to"

Page 2, line 25, replace "2010" with "2012"

Page 3, after line 29, insert:

"SECTION 4. AMENDMENT. Section 57-38-30 of the North Dakota Century Code is amended and reenacted as follows:

57-38-30. Imposition and rate of tax on corporations. A tax is hereby imposed upon the taxable income of every domestic and foreign corporation which must be levied, collected, and paid annually as in this chapter provided:

1. a. For the first ~~three~~ twenty-five thousand dollars of taxable income, at the rate of two ~~and six tenths~~ percent.

- b. On all taxable income ~~above three~~ exceeding twenty-five thousand dollars and not ~~in excess of eight~~ exceeding fifty thousand dollars, at the rate of ~~four and one-tenth~~ five percent.
 - c. On all taxable income ~~above eight~~ exceeding fifty thousand dollars and not ~~in excess of twenty thousand dollars~~, at the rate of ~~five and six-tenths~~ six and one-tenth percent.
 - d. ~~On all taxable income above twenty thousand dollars and not in excess of thirty thousand dollars, at the rate of six and four-tenths percent.~~
 - e. ~~On all taxable income above thirty thousand dollars, at the rate of six and one-half percent.~~
2. A corporation that has paid North Dakota alternative minimum tax in years beginning before January 1, 1991, may carry over any alternative minimum tax credit remaining to the extent of the regular income tax liability of the corporation for a period not to exceed four taxable years.

SECTION 5. AMENDMENT. Subsection 1 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

1. A tax is hereby imposed for each taxable year upon income earned or received in that taxable year by every resident and nonresident individual, estate, and trust. A taxpayer computing the tax under this section is only eligible for those adjustments or credits that are specifically provided for in this section. Provided, that for purposes of this section, any person required to file a state income tax return under this chapter, but who has not computed a federal taxable income figure, shall compute a federal taxable income figure using a pro forma return in order to determine a federal taxable income figure to be used as a starting point in computing state income tax under this section. The tax for individuals is equal to North Dakota taxable income multiplied by the rates in the applicable rate schedule in subdivisions a through d corresponding to an individual's filing status used for federal income tax purposes. For an estate or trust, the schedule in subdivision e must be used for purposes of this subsection.

- a. Single, other than head of household or surviving spouse.

If North Dakota taxable income is:	The tax is equal to:
Not over \$27,050 <u>\$33,950</u>	2.40% <u>1.87%</u>
Over \$27,050 <u>\$33,950</u> but not over \$65,550 <u>\$82,250</u>	\$568.05 <u>\$634.87</u> plus 3.92% <u>3.49%</u> of amount over \$27,050 <u>\$33,950</u>
Over \$65,550 <u>\$82,250</u> but not over \$136,750 <u>\$171,550</u>	\$2,077.25 <u>\$2,320.54</u> plus 4.34% <u>3.87%</u> of amount over \$65,550 <u>\$82,250</u>
Over \$136,750 <u>\$171,550</u> but not over \$297,350 <u>\$372,950</u>	\$5,167.33 <u>\$5,776.45</u> plus 5.04% <u>4.49%</u> of amount over \$136,750 <u>\$171,550</u>
Over \$297,350 <u>\$372,950</u>	\$13,261.57 <u>\$14,819.31</u> plus 5.54% <u>4.94%</u> of amount over \$297,350 <u>\$372,950</u>

- b. Married filing jointly and surviving spouse.

If North Dakota taxable income is:	The tax is equal to:
Not over \$45,200 <u>\$56,750</u>	2.40% <u>1.87%</u>
Over \$45,200 <u>\$56,750</u> but not over \$109,250 <u>\$137,050</u>	\$949.20 <u>\$1,061.23</u> plus 3.92% <u>3.49%</u> of amount over \$45,200 <u>\$56,750</u>
Over \$109,250 <u>\$137,050</u> but not over \$166,500 <u>\$208,850</u>	\$3,459.96 <u>\$3,863.70</u> plus 4.34% <u>3.87%</u> of amount over \$109,250 <u>\$137,050</u>
Over \$166,500 <u>\$208,850</u> but not over \$297,350 <u>\$372,950</u>	\$6,944.64 <u>\$6,642.36</u> plus 5.04% <u>4.49%</u> of amount over \$166,500 <u>\$208,850</u>
Over \$297,350 <u>\$372,950</u>	\$12,539.45 <u>\$14,010.45</u> plus 5.54% <u>4.94%</u> of amount over \$297,350 <u>\$372,950</u>

- c. Married filing separately.

If North Dakota taxable income is:	The tax is equal to:
Not over \$22,600 <u>\$28,375</u>	2.40% <u>1.87%</u>
Over \$22,600 <u>\$28,375</u> but not over \$54,625 <u>\$68,525</u>	\$474.60 <u>\$530.61</u> plus 3.92% <u>3.49%</u> of amount over \$22,600 <u>\$28,375</u>
Over \$54,625 <u>\$68,525</u> but not over \$83,250 <u>\$104,425</u>	\$1,729.98 <u>\$1,931.85</u> plus 4.34% <u>3.87%</u> of amount over \$54,625 <u>\$68,525</u>

Over ~~\$83,250~~ \$104,425 but not
over ~~\$148,675~~ \$186,475
Over ~~\$148,675~~ \$186,475

~~\$2,972.34~~ \$3,321.18 plus ~~5.04%~~ 4.49%
of amount over ~~\$83,250~~ \$104,425
~~\$6,269.73~~ \$7,005.22 plus ~~5.54%~~ 4.94%
of amount over ~~\$148,675~~ \$186,475

d. Head of household.

If North Dakota taxable income is:

Not over ~~\$36,250~~ \$45,500
Over ~~\$36,250~~ \$45,500 but not
over ~~\$93,650~~ \$117,450
Over ~~\$93,650~~ \$117,450 but not
over ~~\$151,650~~ \$190,200
Over ~~\$151,650~~ \$190,200 but not
over ~~\$297,350~~ \$372,950
Over ~~\$297,350~~ \$372,950

The tax is equal to:

~~2.40%~~ 1.87%
~~\$761.25~~ \$850.85 plus ~~3.92%~~ 3.49%
of amount over ~~\$36,250~~ \$45,500
~~\$3,011.33~~ \$3,361.91 plus ~~4.34%~~ 3.87%
of amount over ~~\$93,650~~ \$117,450
~~\$5,528.53~~ \$6,177.33 plus ~~5.04%~~ 4.49%
of amount over ~~\$151,650~~ \$190,200
~~\$12,871.84~~ \$14,382.81 plus ~~5.54%~~ 4.94%
of amount over ~~\$297,350~~ \$372,950

e. Estates and trusts.

If North Dakota taxable income is:

Not over ~~\$1,800~~ \$2,300
Over ~~\$1,800~~ \$2,300 but not
over ~~\$4,250~~ \$5,350
Over ~~\$4,250~~ \$5,350 but not
over ~~\$6,500~~ \$8,200
Over ~~\$6,500~~ \$8,200 but not
over ~~\$8,900~~ \$11,150
Over ~~\$8,900~~ \$11,150

The tax is equal to:

~~2.40%~~ 1.87%
~~\$37.80~~ \$43.01 plus ~~3.92%~~ 3.49%
of amount over ~~\$1,800~~ \$2,300
~~\$133.84~~ \$149.46 plus ~~4.34%~~ 3.87%
of amount over ~~\$4,250~~ \$5,350
~~\$231.49~~ \$259.75 plus ~~5.04%~~ 4.49%
of amount over ~~\$6,500~~ \$8,200
~~\$352.45~~ \$392.21 plus ~~5.54%~~ 4.94%
of amount over ~~\$8,900~~ \$11,150

f. For an individual who is not a resident of this state for the entire year, or for a nonresident estate or trust, the tax is equal to the tax otherwise computed under this subsection multiplied by a fraction in which:

- (1) The numerator is the federal adjusted gross income allocable and apportionable to this state; and
- (2) The denominator is the federal adjusted gross income from all sources reduced by the net income from the amounts specified in subdivisions a and b of subsection 2.

In the case of married individuals filing a joint return, if one spouse is a resident of this state for the entire year and the other spouse is a nonresident for part or all of the tax year, the tax on the joint return must be computed under this subdivision.

g. For taxable years beginning after December 31, ~~2004~~ 2009, the tax commissioner shall prescribe new rate schedules that apply in lieu of the schedules set forth in subdivisions a through e. The new schedules must be determined by increasing the minimum and maximum dollar amounts for each income bracket for which a tax is imposed by the cost-of-living adjustment for the taxable year as determined by the secretary of the United States treasury for purposes of section 1(f) of the United States Internal Revenue Code of 1954, as amended. For this purpose, the rate applicable to each income bracket may not be changed, and the manner of applying the cost-of-living adjustment must be the same as that used for adjusting the income brackets for federal income tax purposes."

Page 5, after line 2, insert:

"7. For all purposes under law relating to allocation of funds among political subdivisions based on property tax levies, property taxes levied by a school district are the amount that would have been levied without the mill reduction grant provided to the school district under this chapter."

Page 5, line 5, replace "combined education" with "general fund"

Page 5, line 8, replace "combined education" with "general fund"

Page 5, line 19, replace "combined education" with "general fund"

Page 5, line 26, replace "combined" with "general fund"

Page 5, line 27, remove "education"

Page 5, line 30, after "district" insert "general fund"

Page 6, after line 6, insert:

"57-64-05. Tax increment financing district revenue replacement grants.

1. A city in which a tax increment financing district was established before January 1, 2009, is entitled to a grant, subject to legislative appropriation, to reimburse the district for the loss of tax increments attributable to the mill levy reduction under this chapter for the school district in which the tax increment financing district property is located. The grant to which a city is entitled under this section is equal to the combined education mill rate reduction under this chapter for the school district for the taxable year times the incremental value of property that had a tax increment value before January 1, 2009, as determined under section 40-58-20, discounted by five percent as allowed for taxpayers under section 57-20-09.
2. Applications for grants under this section must be filed with the tax commissioner by January thirty-first immediately following the taxable year of the combined education mill rate reduction under this chapter. Applications must be filed on a form prescribed by the tax commissioner. The tax commissioner shall audit applications, make corrections as required, and certify grant amounts and recipients to the state treasurer for payment of grants by March thirty-first following receipt of applications.

SECTION 7. Property tax relief sustainability fund. The property tax relief sustainability fund is a special fund in the state treasury. Moneys in the fund may be spent, pursuant to legislative appropriations, for property tax relief programs."

Page 6, line 8, replace "permanent oil tax trust" with "general"

Page 6, after line 11, insert:

"SECTION 9. APPROPRIATION. There is appropriated out of any moneys in the permanent oil tax trust fund in the state treasury, not otherwise appropriated, the sum of \$1,720,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of allocation of revenue replacement grants to tax increment financing districts under section 57-64-05, for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 10. TRANSFER - PERMANENT OIL TAX TRUST FUND - GENERAL FUND. The office of management and budget shall transfer the sum of \$295,000,000 from the permanent oil tax trust fund to the general fund on July 1, 2009.

SECTION 11. TRANSFER - PERMANENT OIL TAX TRUST FUND - PROPERTY TAX RELIEF SUSTAINABILITY FUND. The office of management and budget shall transfer the sum of \$295,000,000 from the permanent oil tax trust fund to the property tax relief sustainability fund on July 1, 2010."

Page 6, line 12, remove "and" and after "3" insert ", 4, and 5"

Renumber accordingly

REPORT OF STANDING COMMITTEE (MINORITY)

SB 2199, as reengrossed: Finance and Taxation (Rep. W. Belter, Chairman) A MINORITY of your committee (Reps. Pinkerton, S. Kelsh, Winrich) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

In lieu of the amendments adopted by the House as printed on pages 960 and 961 of the House Journal, Reengrossed Senate Bill No. 2199 is amended as follows:

Page 1, line 1, after "Act" insert "to create a property tax relief sustainability fund;"

Page 1, line 2, after "57-15-01.1" insert ", a new section to chapter 57-38, a new subdivision to subsection 7 of section 57-38-30.3,"

Page 1, line 3, after "grants" insert "and an income tax credit for renters of residential property"

Page 1, line 5, after the second semicolon insert "to provide for transfers;"

Page 2, line 23, replace "2010" with "2018"

Page 2, line 24, after "of" insert "up to"

Page 2, line 25, replace "2010" with "2018"

Page 3, after line 29, insert:

"SECTION 4. A new section to chapter 57-38 of the North Dakota Century Code is created and enacted as follows:

Renter's credit. A taxpayer is entitled to a tax credit against tax liability as determined under section 57-38-29 or 57-38-30.3 equal to three percent of the first six thousand five hundred dollars of rent paid during the taxable year for the right of occupancy of a dwelling in this state occupied as the taxpayer's primary residence. The claimant of a credit under this section must provide information required by the tax commissioner to verify eligibility for the credit under this section, including a statement from the lessor of the amount of rent paid for the dwelling during the taxable year. Rental of a dwelling in a nursing home, intermediate care facility, long-term care residential facility, or dwelling for which the landlord and tenant have not dealt with each other at arm's length is not eligible for the credit under this section. If a dwelling has more than one occupant renter, only one occupant may claim the credit under this section and how the credit will be apportioned among the occupants is the responsibility of the occupants.

SECTION 5. A new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

Renter's credit under section 4 of this Act."

Page 4, line 17, after "of" insert "residential and agricultural"

Page 4, line 18, replace "one hundred" with "forty"

Page 4, line 21, after "of" insert "residential and agricultural"

Page 4, line 22, replace "seventy-five" with "one hundred fifty"

Page 5, after line 2, insert:

"7. For all purposes under law relating to allocation of funds among political subdivisions based on property tax levies, property taxes levied by a school district are the amount that would have been levied without the mill reduction grant provided to the school district under this chapter."

Page 5, line 5, replace "combined education" with "general fund" and after "rate" insert "for residential and agricultural property"

Page 5, line 6, replace "one hundred ten" with "forty"

Page 5, line 8, replace "combined education" with "general fund"

Page 5, line 9, replace "one hundred ten" with "forty" and after "mills" insert "for residential and agricultural property"

Page 5, line 19, replace "combined education" with "general fund", after "rate" insert "for residential and agricultural property", and replace "one hundred ten" with "forty"

Page 5, line 26, replace "combined" with "general fund"

Page 5, line 27, remove "education"

Page 5, line 30, after "district" insert "general fund"

Page 6, line 1, after the second boldfaced underscored period insert "The mill levy reduction grant to a school district under this chapter must be applied to reduce the combined education mill rate of the school district as it applies to residential and agricultural property in the school district. If the combined mill rate of the school district is reduced to zero for residential and agricultural property, any remaining amount of the grant must be applied proportionately to reduction of the combined mill rate for other taxable property in the school district."

Page 6, after line 6, insert:

"57-64-05. Tax increment financing district revenue replacement grants.

1. A city in which a tax increment financing district was established before January 1, 2009, is entitled to a grant, subject to legislative appropriation, to reimburse the district for the loss of tax increments attributable to the mill levy reduction under this chapter for the school district in which the tax increment financing district property is located. The grant to which a city is entitled under this section is equal to the combined education mill rate reduction under this chapter for the school district for the taxable year times the incremental value of residential and agricultural property that had a tax increment value before January 1, 2009, as determined under section 40-58-20, discounted by five percent as allowed for taxpayers under section 57-20-09.
2. Applications for grants under this section must be filed with the tax commissioner by January thirty-first immediately following the taxable year of the combined education mill rate reduction under this chapter. Applications must be filed on a form prescribed by the tax commissioner. The tax commissioner shall audit applications, make corrections as required, and certify grant amounts and recipients to the state treasurer for payment of grants by March thirty-first following receipt of applications.

SECTION 7. Property tax relief sustainability fund. The property tax relief sustainability fund is a special fund in the state treasury. Moneys in the fund may be spent, pursuant to legislative appropriations, for property tax relief programs."

Page 6, line 8, replace "permanent oil tax trust" with "general"

Page 6, line 9, replace "\$295,000,000" with "\$395,000,000"

Page 6, after line 11, insert:

"SECTION 9. APPROPRIATION. There is appropriated out of any moneys in the permanent oil tax trust fund in the state treasury, not otherwise appropriated, the sum of \$1,720,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of allocation of revenue replacement grants to tax increment financing districts under section 57-64-05, for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 10. APPROPRIATION. There is appropriated out of any moneys in the permanent oil tax trust fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the information technology department for the purpose of providing grants to counties that demonstrate to the satisfaction of the department that the county has incurred technology-related costs directly related to enactment of this Act.

SECTION 11. TRANSFER - PERMANENT OIL TAX TRUST FUND - GENERAL FUND. The office of management and budget shall transfer the sum of \$395,000,000 from the permanent oil tax trust fund to the general fund on July 1, 2009.

SECTION 12. TRANSFER - PERMANENT OIL TAX TRUST FUND - PROPERTY TAX RELIEF SUSTAINABILITY FUND. The office of management and budget shall transfer the sum of \$395,000,000 from the permanent oil tax trust fund to the property tax relief sustainability fund on July 1, 2010."

Page 6, line 12, remove "and" and after "3" insert ", 4, and 5"

Renumber accordingly

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

SB 2221, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (22 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Reengrossed SB 2221 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2227: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2227 was placed on the Sixth order on the calendar.

Page 1, line 3, after "program" insert "; and to provide an appropriation"

Page 2, after line 6, insert:

"SECTION 3. APPROPRIATION - COMMUNITY HEALTH TRUST FUND.

There is appropriated out of any moneys in the community health trust fund in the state treasury, not otherwise appropriated, the sum of \$67,500, or so much of the sum as may be necessary, to the state department of health for the purpose of providing funding for the medical loan repayment program, for the biennium beginning July 1, 2009, and ending June 30, 2011."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment appropriates \$67,500 from the community health trust fund for the medical loan repayment program. This amount is in addition to the funding for this program included in Senate Bill No. 2004.

REPORT OF STANDING COMMITTEE

SB 2277: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING). SB 2277 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "January" with "July"

Page 1, line 8, replace "2009" with "2001"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2353, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 9 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2353 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and"

Page 1, line 3, remove "to provide an effective date"

Page 1, line 8, remove "sixty" and overstrike "dollars" and insert immediately thereafter "an amount established by policy by the director of the office of management and budget. The director shall establish a policy to set the lodging reimbursement at an amount not to exceed ninety percent of the rate established by the United States general services administration for lodging reimbursement in this state"

Page 1, remove lines 12 through 24

Page 2, remove lines 1 through 4

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4035: Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and

BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4035 was placed on the Sixth order on the calendar.

Page 1, line 16, after "tributaries" insert ", excluding the Souris Basin,"

Page 2, line 11, remove the third "the"

Page 2, line 12, replace the first "of" with "selected by the Governors of the states of Minnesota, North Dakota, and South Dakota with" and after the second "members" insert ", four from Minnesota, four from North Dakota, and one from South Dakota"

Page 2, line 14, replace "President to consider recommendations from public officials such as the governors" with "Governors to select the board members representing"

Page 2, line 15, remove "of the states of Minnesota, North Dakota, and South Dakota;"

Renumber accordingly

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

Buell J. Reich, Chief Clerk