

## JOURNAL OF THE HOUSE

## Sixty-first Legislative Assembly

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Bismarck, April 14, 2009

The House convened at 8:00 a.m., with Speaker Monson presiding.

The prayer was offered by Rep. Darrell Nottestad, District 43, Grand Forks.

The roll was called and all members were present except Representatives DeKrey, Drovdal, Kempenich, Thorpe, and Zaiser.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your Committee on Correction and Revision of the Journal (**Rep. Delzer, Chairman**) has carefully examined the Journal of the Thirteenth, Fifty-fourth and Sixty-second Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 198, before line 44, insert:

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

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1025, HB 1069, HB 1093, HB 1126, HB 1134, HB 1147, HB 1148, HB 1153, HB 1195.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2114.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2134, SB 2135."

Page 1063, after line 31, insert:

**"DIVISION OF HOUSE BILL NO. 1162****DIVISION A**

Sections 2 and 3 of the bill

**DIVISION B**

Section 1 of the bill

Renumber and correct the title accordingly

Division A lost.

Division B was adopted."

Page 1334, before line 28, insert:

**"CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1425 as printed on HJ pages 1316-1317 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 1425: Reps. Weisz, Bellew, Potter."

Page 1348, line 35, replace "Schatz" with "Wall"

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

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WRANGHAM MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1053 as printed on HJ page 1270 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 1053: Reps. Wrangham, Klemin, Mock.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WRANGHAM MOVED** that the House do not concur in the Senate amendments to HB 1412 as printed on HJ page 1138 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 1412: Reps. Headland, Kretschmar, J. Kelsh.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PORTER MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1509 as printed on HJ page 1190 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 1509: Reps. DeKrey, Damschen, S. Kelsh.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WRANGHAM MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1554 as printed on HJ page 1270 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 1554: Reps. Koppelman, Headland, J. Kelsh.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. WRANGHAM MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2270 and Engrossed SB 2359, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on:

**Engrossed SB 2270:** Reps. Hatlestad, Pietsch, Zaiser

**Engrossed SB 2359:** Reps. Kretschmar, N. Johnson, Kilichowski

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. RUBY MOVED** that the House do concur in the Senate amendments to Engrossed HB 1342 as printed on HJ page 1004, which motion prevailed on a voice vote.

Engrossed HB 1342, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1342:** A BILL for an Act to create and enact a new section to chapters 49-10 and 49-11 of the North Dakota Century Code, relating to public and private railroad crossings; to amend and reenact sections 49-11-21 and 49-11-22 of the North Dakota Century Code, relating to warning devices at railroad crossings; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 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; Ekstrom; Frantvovog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad;

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

**ABSENT AND NOT VOTING:** Drovdal; Hofstad; Kempenich; Thorpe; Zaiser

Reengrossed HB 1342 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. KEISER MOVED** that the House do concur in the Senate amendments to HB 1361 as printed on HJ page 1004, which motion prevailed on a voice vote.

HB 1361, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1361:** A BILL for an Act to create and enact subsection 9 to section 43-55-08 and two new sections to chapter 43-55 of the North Dakota Century Code, relating to professional employer organizations; to amend and reenact sections 43-55-03 and 43-55-05 of the North Dakota Century Code, relating to licensing requirements for professional employer organizations; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 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; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Drovdal; Hofstad; Kempenich; Thorpe; Zaiser

Engrossed HB 1361 passed, the title was agreed to, and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to HB 1391 as printed on HJ page 984, which motion prevailed on a voice vote.

HB 1391 was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1391:** A BILL for an Act to provide for a legislative council study.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 1 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; Dosch; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.;

Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Speaker Monson

**NAYS:** Delzer

**ABSENT AND NOT VOTING:** Drovdal; Hofstad; Kempenich; Thorpe; Zaiser

Engrossed HB 1391 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. BELTER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1392 as printed on HJ page 940, which motion prevailed on a voice vote.

Engrossed HB 1392, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1392:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to an income tax deduction for actual distributions of an interest charge domestic international sales corporation without economic substance owned by individuals or passthrough entities; and to provide an effective date.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Drovdal; Hofstad; Kempenich; Thorpe; Zaiser

Reengrossed HB 1392 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. BELTER MOVED** that the House do concur in the Senate amendments to HB 1401 as printed on HJ page 1119, which motion prevailed on a voice vote.

HB 1401 was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1401:** A BILL for an Act to create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to limitations on the valuation of residential and commercial property as determined by the sales ratio study.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 13 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Hatlestad; Hawken; Headland; Heller; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Myxter; Nathe; Nelson; Nottestad; Onstad;

Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Monson

**NAYS:** Amerman; Ekstrom; Froelich; Griffin; Hanson; Kelsh, S.; Metcalf; Mock; Mueller; Pinkerton; Potter; Vig; Winrich

**ABSENT AND NOT VOTING:** Drovdal; Hofstad; Kempenich; Thorpe; Zaiser

Engrossed HB 1401 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to Engrossed HB 1433 as printed on HJ page 1086, which motion prevailed on a voice vote.

Engrossed HB 1433, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1433:** A BILL for an Act to amend and reenact section 50-24.4-16 of the North Dakota Century Code, relating to nursing home rates; to provide an appropriation; to provide legislative intent; to provide an effective date; to provide an expiration date; 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, 12 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Berg; Delzer; Hanson; Koppelman; Mock; Pinkerton; Potter; Skarphol; Thoreson; Weiler; Wieland

**ABSENT AND NOT VOTING:** Drovdal; Hofstad; Kempenich; Thorpe; Zaiser

Reengrossed HB 1433 passed, the title was agreed to, and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. RUBY MOVED** that the House do concur in the Senate amendments to Engrossed HB 1438 as printed on HJ page 983, which motion prevailed on a voice vote.

Engrossed HB 1438, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1438:** A BILL for an Act to create and enact a new section to chapter 39-06.2 of the North Dakota Century Code, relating to a nonresident commercial driver's license; to amend and reenact sections 39-06.2-02, 39-06.2-08, and 39-06.2-09 of the North Dakota Century Code, relating to an application for a nonresident commercial driver's license; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 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; Ekstrom;

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

**ABSENT AND NOT VOTING:** Drovda; Hofstad; Kempenich; Thorpe; Zaiser

Reengrossed HB 1438 passed, the title was agreed to, and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. BELTER MOVED** that the House do concur in the Senate amendments to HB 1448 as printed on HJ page 858, which motion prevailed on a voice vote.

HB 1448 was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1448:** A BILL for an Act to create and enact subsection 9 of section 57-38-01.29 of the North Dakota Century Code, relating to the homestead income tax credit for agricultural or commercial property; to provide an effective date; and to provide an expiration date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO 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; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Conrad; Drovda; Hofstad; Kempenich; Thorpe; Zaiser

Engrossed HB 1448 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DEKREY MOVED** that the House do concur in the Senate amendments to HB 1458 as printed on HJ page 1119, which motion prevailed on a voice vote.

HB 1458 was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1458:** A BILL for an Act to create and enact a new subsection to section 59-09-03 and a new section to chapter 59-18 of the North Dakota Century Code, relating to the definition of irrevocable in reference to a trust and a presumption against eligibility for assistance programs for certain transactions; and to amend and reenact sections 59-16-13 and 59-17-06 of the North Dakota Century Code, relating to the duty of a trustee to inform beneficiaries and the settlor.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 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; Ekstrom;

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

**ABSENT AND NOT VOTING:** Drovdal; Hofstad; Kempenich; Metcalf; Thorpe; Zaiser

Engrossed HB 1458 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. DEKREY MOVED** that the House do concur in the Senate amendments to Engrossed HB 1461 as printed on HJ page 1309, which motion prevailed on a voice vote.

Engrossed HB 1461, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1461:** A BILL for an Act to amend and reenact subdivision c of subsection 2 of section 16.1-07-15 of the North Dakota Century Code, relating to restrictions applicable to early voting precincts; and to provide a penalty.

#### **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; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Meyer, S.; Nathe; Nelson; Nottestad; Pietsch; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Delmore; Ekstrom; Froelich; Gruchalla; Hanson; Kelsh, S.; Kerzman; Kilichowski; Kroeber; Mock; Mueller; Myxter; Onstad; Pinkerton

**ABSENT AND NOT VOTING:** Kempenich; Metcalf; Thorpe

Reengrossed HB 1461 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to Reengrossed HB 1472 as printed on HJ page 1006, which motion prevailed on a voice vote.

Reengrossed HB 1472, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1472:** A BILL for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota Century Code, relating to the creation of an early childhood services advisory board; to provide an expiration date; 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 74 YEAS, 16 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kilichowski; Kingsbury; Klein; Klemin;

Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Myxter; Nathe; Nelson; Pietsch; Pinkerton; Pollert; Porter; Potter; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Amerman; Conrad; Delmore; Ekstrom; Froelich; Gruchalla; Hanson; Kasper; Kelsh, J.; Kerzman; Kroeber; Mueller; Nottestad; Onstad; Ruby; Vig

**ABSENT AND NOT VOTING:** Boucher; Kelsh, S.; Kempenich; Thorpe

Reengrossed HB 1472 passed, the title was agreed to, and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. RUBY MOVED** that the House do concur in the Senate amendments to Engrossed HB 1514 as printed on HJ page 1089, which motion prevailed on a voice vote.

Engrossed HB 1514, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1514:** A BILL for an Act to amend and reenact section 24-02-37 of the North Dakota Century Code, relating to use of the special road fund.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 15 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Berg; DeKrey; Delzer; Froseth; Grande; Headland; Kreidt; Pollert; Skarphol; Svedjan; Weisz; Wieland; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Boucher; Kempenich; Thorpe

Reengrossed HB 1514 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. DEKREY MOVED** that the House do concur in the Senate amendments to Engrossed HB 1534 as printed on HJ page 1309, which motion prevailed on a voice vote.

Engrossed HB 1534, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1534:** A BILL for an Act to amend and reenact subsection 2 of section 39-08-01 and section 39-08-01.2 of the North Dakota Century Code, relating to special punishment for causing injury or death while under the influence of alcohol.

#### 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; Heller; Hofstad; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson;



Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boucher; Kempenich; Thorpe; Weiler

Reengrossed HB 1534 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KEISER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1561 as printed on HJ page 1062, which motion prevailed on a voice vote.

Engrossed HB 1561, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1561:** A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to a treating doctor's opinion in workers' compensation decisions; to provide for application; 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; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boucher; Kempenich; Thorpe; Weiler

Reengrossed HB 1561 passed, the title was agreed to, and the emergency clause was declared carried.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to Engrossed HB 1573 as printed on HJ page 1120, which motion prevailed on a voice vote.

Engrossed HB 1573, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1573:** A BILL for an Act to provide for a legislative council study of voucher use and provider choice for clients in human services and other programs and for funding of human services and other state programs.

#### **ROLL CALL**

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

**YEAS:** 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; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider;

Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Kempenich; Thorpe

Reengrossed HB 1573 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PORTER MOVED** that the House do concur in the Senate amendments to HCR 3021 as printed on HJ page 1090, which motion prevailed on a voice vote.

HCR 3021 was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3021:** A concurrent resolution urging the United States Fish and Wildlife Service not to list the black-tailed prairie dog, *cynomys ludovicianus*, as a threatened or endangered species under the Endangered Species Act.

#### **ROLL CALL**

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Gruchalla; Mock; Myxter

**ABSENT AND NOT VOTING:** Boucher; Kempenich; Thorpe

Engrossed HCR 3021 was declared adopted and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PORTER MOVED** that the House do concur in the Senate amendments to Engrossed HCR 3030 as printed on HJ page 1314, which motion prevailed on a voice vote.

Engrossed HCR 3030, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3030:** A concurrent resolution urging Congress to use common sense principles for congressional action on climate change legislation.

#### **ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 78 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Amerman; Ekstrom; Glassheim; Griffin; Gruchalla; Holman; Kaldor; Kelsh, S.; Mock; Myxter; Schneider; Vig; Winrich; Zaiser

**ABSENT AND NOT VOTING:** Kempenich; Thorpe

Reengrossed HCR 3030 was declared adopted and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PORTER MOVED** that the House do concur in the Senate amendments to HCR 3039 as printed on HJ page 1315, which motion prevailed on a voice vote.

HCR 3039, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3039:** A concurrent resolution urging the President and Congress to develop energy resources on the nation's Outer Continental Shelf, promote domestic energy production, and to not impose additional taxes on America's energy producers.

#### **ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 78 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsovog; Froelich; Froseth; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Amerman; Boe; Boucher; Conrad; Ekstrom; Glassheim; Holman; Kelsh, S.; Kroeber; Mock; Myxter; Potter; Vig; Winrich

**ABSENT AND NOT VOTING:** Kempenich; Thorpe

Engrossed HCR 3039 was declared adopted and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. DROVDAL MOVED** that the House do concur in the Senate amendments to HCR 3045 as printed on HJ page 1090, which motion prevailed on a voice vote.

HCR 3045 was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3045:** A concurrent resolution directing the Legislative Council to study severed and abandoned mineral rights and methods to reduce the discount for oil produced in North Dakota.

#### **ROLL CALL**

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

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

**ABSENT AND NOT VOTING:** Kempenich; Thorpe

Engrossed HCR 3045 was declared adopted and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. GRANDE MOVED** that the House do concur in the Senate amendments to Engrossed HB 1074 as printed on HJ page 1270, which motion prevailed on a voice vote.

Engrossed HB 1074, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1074:** A BILL for an Act to adopt the Uniform Prudent Management of Institutional Funds Act; and to repeal chapter 15-67 of the North Dakota Century Code, relating to the Uniform Management of Institutional Funds Act; 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 84 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Conklin; Delzer; Froelich; Kelsh, J.; Kerzman; Onstad; Ruby

**ABSENT AND NOT VOTING:** Kempenich; Thorpe

Reengrossed HB 1074 passed, the title was agreed to, and the emergency clause was declared carried.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. BELTER MOVED** that the House do concur in the Senate amendments to HB 1082 as printed on HJ page 1116, which motion prevailed on a voice vote.

HB 1082 was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1082:** A BILL for an Act to amend and reenact section 57-39.2-03.3, subsection 1 of section 57-40.3-01, subsection 4 of section 57-40.3-11, subsections 12, 13, 16, and 18 of section 57-43.1-01, subsection 2 of section 57-43.1-02, section 57-43.1-05, subsections 16, 17, and 20 of section 57-43.2-01, and subsection 2 of section 57-43.2-02 of the North Dakota Century Code, relating to sales tax on sales through vending machines, the definition of low-speed vehicle and the time for audit and protest for motor vehicle excise tax purposes, motor vehicle fuel tax definitions, the motor vehicle fuel tax and special fuels tax imposed on fuels produced by a refiner, and minimum refunds for motor vehicle fuel tax purposes; and to provide an effective date.

**ROLL CALL**

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

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

Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Speaker Monson

**NAYS:** Zaiser

**ABSENT AND NOT VOTING:** Kempenich; Thorpe

Engrossed HB 1082 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. GRANDE MOVED** that the House do concur in the Senate amendments to HB 1162 as printed on HJ page 1063, which motion prevailed on a voice vote.

HB 1162 was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1162:** A BILL for an Act to create and enact a new section to chapter 44-08 and a new section to chapter 51-07 of the North Dakota Century Code, relating to restrictions on the sale and purchase of flags of the United States of America; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 78 YEAS, 13 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlson; Clark; Conrad; Damschen; DeKrey; Delzer; Dosch; Ekstrom; Frantsvog; Froseth; Glassheim; Grande; Griffin; Hanson; Hatlestad; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Myxter; Nathe; Nelson; Onstad; Pietsch; Pinkerton; Pollert; Porter; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Boe; Dahl; Delmore; Drovdal; Froelich; Gruchalla; Hawken; Johnson, N.; Klein; Mock; Nottestad; Potter; Ruby

**ABSENT AND NOT VOTING:** Conklin; Kempenich; Thorpe

Engrossed HB 1162 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. BELTER MOVED** that the House do concur in the Senate amendments to HB 1166 as printed on HJ page 956, which motion prevailed on a voice vote.

HB 1166 was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1166:** A BILL for an Act to amend and reenact sections 57-02-27.1, 57-02-27.2, 57-02-38, and 57-12-09, subsection 4 of section 57-14-08, and section 57-20-03 of the North Dakota Century Code, relating to the deletion of obsolete dates and references for the purposes of valuation and assessment of agricultural lands, assessment of unplatted, undeveloped, and nonagricultural real property located outside of a city, and notice requirements for increased property tax assessments; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Kasper

**ABSENT AND NOT VOTING:** Boucher; Kelsh, S.; Kempenich; Thorpe

Engrossed HB 1166 passed and the title was agreed to.

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#### **MOTION**

**REP. VIGESAA MOVED** that the House stand in recess until 10:00 a.m., which motion prevailed.

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

#### **MOTION**

**REP. VIGESAA MOVED** that a committee of two be appointed to escort the Honorable Earl Pomeroy, United States Representative to the podium. Speaker Monson appointed Reps. Mueller and Metcalf to the escort committee.

#### **MOTION**

**REP. VIGESAA MOVED** that the comments of U. S. Rep. Earl Pomeroy be printed in the journal, which motion prevailed.

#### **REMARKS OF THE HONORABLE REPRESENTATIVE EARL POMEROY**

Good morning. Thank you for this opportunity to visit with you. Some of the experiences I had serving in the 1981 and 1983 legislative sessions are among the best experiences I have had in my career. It is good to be back. I also have a clear idea about the difficult work you have before you in the final days of this session, so I will get right to the point I want to discuss with you this morning.

In the past few weeks I have been crisscrossing North Dakota rushing from one disaster area to another. I have never seen a time when so many of our citizens have faced disaster threats--from Pembina to Mott, Minot to Wahpeton, and so many places in between.

Yesterday I toured flooded areas with Governor Hoeven and Major General David Sprynczynatyk. The view from the Black Hawk helicopter was incredible--water, water everywhere. Our ditches are streams, our streams are rivers, and our rivers have become lakes. In past weeks, unseasonably cold weather played an important role along the Red River, freezing water in fields at the height of the record crest in Fargo, preventing a bad situation from getting worse. Now, however, rain and 24-hour melting conditions, including temperatures in the 60s, have caused the lingering snowpack to let loose with a vengeance. Record flows are causing record floods, as the national news coverage this morning of my hometown, Valley City, indicates.

Valley City is in a very, very tough fight today, and Mayor Mary Lee Nielson just announced a voluntary evacuation of vulnerable adults and flood prone areas up to the level of the 500-year flood plain--involving a significant portion of the town. The Mayor told me these steps, along with the contingency dike lines being built behind some of the temporary levees, are not in any way an indication certain parts of the town are being abandoned in this flood fight. Rather, she expressed absolute determination to win this battle for each of the town's neighborhoods. The voluntary evacuation will greatly assist in clearing streets for the emergency dike repairs which inevitably will develop in the days of high water ahead.

Valley City will be assisted immeasurably by the Governor's commitment of significantly more National Guard soldiers and the presence of senior Corps of Engineers leadership along with levee experts brought in from around the country.

As with Fargo and our other disaster communities, we salute the dedicated leadership and federal resources brought to bear in this fight.

But we know the heart of the effort comes down to the people themselves as they step up, bear down, and work furiously--neighbor helping neighbor--in the struggle to save their homes and communities.

That's the thing about North Dakota. When the chips are down, we all pull together. And this is not simply some closely held opinion by me or by you. The televised coverage of the extraordinary fight that has been waged--literally across our entire state--as our people have responded to this very challenging spring has moved millions. In the Halls of Congress, colleague after colleague have expressed their concerns even as they admired the heroic efforts being waged to protect our communities.

President Obama expressed the impressions of our nation in a recent Saturday radio address which featured the disaster threat and response in our region. He said, "At moments like these we are reminded of the power of nature to disrupt lives and endanger communities. But we are also reminded of the power of individuals to make a difference. In the face of incredible challenge, the people of these communities have rallied in support of one another. And their service isn't just inspirational--it's integral to our response. It's also a reminder of what we can achieve when Americans come together to serve their communities. In facing sudden crises, or more stubborn challenges, the truth is we are all in this together as neighbors and fellow citizens." That is what brought so many to help in North Dakota and Minnesota and other areas affected by the flooding.

Some may see images of snow, rain, mud, sand, and water and say to themselves--"Why would anyone want to live there?!" But to each of us who have played our respective part in this fight and experienced the strength of our community, mobilized together, shoulder to shoulder, helping one another, we think--"Why would anyone want to live anywhere else?"

We will never be able to adequately thank our young people who have turned out by the thousands to form the backbone of the flood fight. Millions of sandbags were filled and placed. As we've worked with them we know two things very clearly--we couldn't have done it without them; and, if we give them the tools they need, they will go on to make our communities and our state stronger and better. I guess maybe there's a third thing we've learned for the older ones of us--we learned that we weren't quite as young as we were the last flood fight!

We will also never be able to thank adequately the men and women of the North Dakota National Guard. Nearly 2,000 Guardsmen are on duty this morning battling this week's dangerous crests. In all, more than 2,400 Guardsmen and Airmen have participated, filling nearly four and a half million sandbags statewide, keeping close watch on dozens and dozens of miles of emergency dikes, and directing traffic so the dike building and reinforcing never grinds to a stop. At Sandbag Central in Fargo late one night, I told the soldier next to me in the line that we all felt mighty good having our soldiers back here in our sand instead of sands far away. He just smiled and said, "Roger that, Sir!"

Having lived this flood fight for several weeks now, I've seen more examples of citizen heroism than I can begin to recount, but the impressions will be with me always--scenes like last night in LaMoure where Governor Hoeven and I visited a swarming Sandbag Central as waters crept toward the edges of that small town. The Mayor told us they put out the word on the radio at 5:30 and by 6:00 production was going full bore. Volunteers told me they dropped their plans for the evening and came forward to help. Making this even more incredible was the fact they were now into their third week of this hard work, offered freely for the good of the community.

In our largest fight this spring--where Fargo fought the Red River--it is estimated 80,000-100,000 people volunteered, an all-time record; and when this is all done, that is going to be the record of which I am most proud.

Just as notable as our citizen volunteers coming forward in emergencies are the citizen leaders who guide and enhance our communities through their virtually volunteer service. Our state has 357 mayors, 1,800 township board members, 223 county commissioners, and last but not least 141 state legislators. The people of this state are blessed to have you and all the dedicated men and women who share a love of our state and a determination to move it forward by playing leadership roles in our communities.

Dealing with the snows and floods of 2009 has demonstrated a lot about how different levels of government need to relate to one another to form the optimal response for the citizens we serve.

For example, we have seen where local issues are involved, local decisionmakers are the best positioned policymakers to make the call. Local officials know local matters best. For example, when federal officials challenged Fargo's flood planning, Fargo officials stuck to their guns and

subsequent events have proved them right. No one knows Fargo flood fighting better than Mayor Denny Walaker, and the same holds true for leaders all across the state.

On the other hand, while decisionmaking should be kept local as possible, when disaster strikes, it will require more than local resources to protect against the threat and then to restore normalcy when the threat has passed. We have seen that time and time again up here on the high plains. The Corps of Engineers and FEMA have been such vital partners to our efforts. This spring we were relieved when the Presidential Declaration of disaster was issued, and again last Friday when the White House announced the disaster recovery would include individual assistance.

Each day this week, some number of our citizens will abandon their efforts to save their homes from these relentless flood waters. Thank goodness they will know there will be some federal help to assist them in putting their property and their lives back in order.

And the toll of all this on our shared public infrastructure is truly staggering. In Ramsey County local officials told the Governor and me that there were 150 road closings due to washouts and flooding--36 in one township alone!

Most of the cost of the infrastructure pounding will fall upon the federal government. Senator Conrad, Senator Dorgan, and I will work closely with Governor Hoeven to make certain we receive the maximum amount of federal assistance possible. For example, we are hopeful and confident the federal cost-share will be 90% for qualifying public expenditures under FEMA. However, just as I have advised many homeowners that FEMA assistance and SBA loans can never make one entirely whole after a loss, the same is true for political subdivisions--our cities, counties, and townships.

After depleting budgets dealing with the record snows of winter, the local cost-share--even at 10%--will be hard or impossible for some to come up with. Also, some repairs may not qualify for FEMA payments, but our strapped subdivisions have no choice but to repair. I applaud you for voting to help with snow removal costs. This is a very good start.

In a disaster, government works best when each layer listens respectfully to the others, along the principle I described earlier, "Local folks know local issues best." That means at the Federal level and at the State level we must pay attention to our political subdivisions. They will inform us on how to fight the disaster, how to mitigate the risk of reoccurrence when the disaster is passed, and what to look out for in the future.

For example, the South side flood protection in Fargo is a locally developed proposal which would significantly reduce the prospects of this spring's threat from reoccurring in the future. We should fund it.

And listening to local leaders like County Commissioner Joe Belford in Ramsey County alerts us to the very difficult work that lies ahead in dealing with the continuing flood from the inexorably rising Devils Lake. The weather service now predicts a 100% certainty a record lake level will be reached when runoff is complete.

There's a vision I have when it comes to helping political subdivisions. It's the view of a sandbag line where each person shares the lift with the one next to them--a scene repeated innumerable times this spring and occurring right at this moment in our most threatened communities.

The Federal government must play the most significant financial role by far. Just as we have assisted other disaster areas, like fires and hurricanes, in the recent past, we will now require--and thanks to the Presidential disaster declarations, we will receive--tens of millions, perhaps hundreds of millions of dollars to help us recover.

In listening to bipartisan voices from this session, I am hopeful the state will also take extraordinary steps to help our cities, counties, and townships. In the sandbag line, they don't leave the smallest participant holding a bag bigger than they can handle. Working across lines of government, I know we can help our political subdivisions get through these daunting challenges they face.

Wrapping up any legislative session is a very difficult matter, as I remember well from my own time as a member of the legislature representing Valley City and Barnes County. Clearly the work before you this time--as unprecedented disasters continue to unfold from east to west and the needs grow daily--make your work these last two weeks as challenging as it could be.

Thank you for the chance to address you on this extraordinary morning in North Dakota. Thank you for your service, and I wish you Godspeed as you conclude the issues before you.



**SIXTH ORDER OF BUSINESS**

**SPEAKER MONSON DEEMED** approval of the amendments to Reengrossed SB 2004, Reengrossed SB 2018, SB 2024, Engrossed SB 2038, Engrossed SB 2051, SB 2311, and Engrossed SB 2338.

Reengrossed SB 2004, Reengrossed SB 2018, SB 2024, Engrossed SB 2038, Engrossed SB 2051, SB 2311, and Engrossed SB 2338, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**SIXTH ORDER OF BUSINESS**

**SB 2001, as engrossed: REP. DELZER (Appropriations Committee) MOVED** that the amendments on HJ pages 1384-1387 be adopted and then be placed on the Fourteenth order with **DO PASS**.

**REQUEST**

**REP. KALDOR REQUESTED** that the House divide the amendments to Engrossed SB 2001, which request was granted.

**DIVISION A:** Sections 11, 12, 13 and 14 of the amendment.

**DIVISION B:** The remaining sections of the amendment.

The question being the motion to adopt Division A of the proposed amendments to Engrossed SB 2001, the motion passed on a verification vote.

Division A of the proposed amendments to Engrossed SB 2001 was adopted on a verification vote.

The question being the motion to adopt Division B of the proposed amendments to Engrossed SB 2001, the motion passed on a voice vote.

Division B of the proposed amendments to Engrossed SB 2001 was adopted on a voice vote.

**MOTION**

**REP. VIGESAA MOVED** that SB 2001 be placed at the top of the Fourteenth order, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2001:** A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for transfers; to create and enact a new section to chapter 54-03 and a new section to chapter 54-35 of the North Dakota Century Code, relating to reimbursement of broadband and certain wireless expenses of members of the legislative assembly and to a legislative budget committee; to amend and reenact subdivision c of subsection 7 of section 54-03-20, section 54-44.1-04, subsection 7 of section 54-44.1-06, and section 54-44.1-07 of the North Dakota Century Code, relating to legislative leaders' monthly compensation, budget requests, and drafts of appropriation bills; to provide for applications and transfers; to provide for a legislative council study; to provide an effective date; 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 64 YEAS, 29 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Amerman; Conklin; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Gruchalla; Hanson; Kaldor; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Onstad; Pinkerton; Potter; Schmidt; Thorpe; Vig; Williams; Winrich; Wolf

**ABSENT AND NOT VOTING:** Kempenich

Engrossed SB 2001, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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#### SIXTH ORDER OF BUSINESS

**SB 2003, as reengrossed: REP. SKARPHOL (Appropriations Committee) MOVED** that the amendments on HJ pages 1387-1393 be adopted and then be placed on the Fourteenth order with **DO PASS**.

#### REQUEST

**REP. BERG REQUESTED** a verification vote, which request was granted.

The amendments to Reengrossed SB 2003 were adopted on a verification vote.

#### MOTION

**REP. VIGESAA MOVED** that SB 2003 be placed at the top of the Fourteenth order, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; to provide for transfer of funds; to authorize the state board of higher education to issue and sell bonds for capital projects; to provide for legislative council studies; to create and enact three new sections to chapter 15-62.2 of the North Dakota Century Code, relating to merit scholarships for students attending certain institutions of higher education; to amend and reenact subsections 1 and 3 of section 15-10-37 and sections 15-62.2-02 and 15.1-01-02 of the North Dakota Century Code, relating to student financial assistance grants, technology grants, and joint meetings of the state's education boards; 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 70 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Boe; Boehning; Boucher; Brandenburg; Carlson; Conklin; Conrad; Dahl; Delmore; Ekstrom; Frantsovog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Rust; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Wieland; Williams; Winrich; Wolf; Speaker Monson

**NAYS:** Bellew; Berg; Clark; Damschen; DeKrey; Delzer; Dosch; Drovdal; Froelich; Headland; Kasper; Kerzman; Koppelman; Meier, L.; Nathe; Potter; Ruby; Schatz; Thoreson; Weiler; Weisz; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Kempenich

Reengrossed SB 2003, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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#### SIXTH ORDER OF BUSINESS

**SB 2009, as engrossed: REP. HAWKEN (Appropriations Committee) MOVED** that the amendments on HJ page 1395 be adopted and then be placed on the Fourteenth order with **DO PASS**.

#### REQUEST

**REP. BELLEW REQUESTED** a roll call vote, which request was granted.

#### MOTION

**REP. BELLEW MOVED** that a verification vote be taken on the amendment to SB 2009, which motion prevailed.

The amendment to SB 2009 was rejected on a verification vote.

**MOTION**

**REP. VIGESAA MOVED** that SB 2009 be placed at the top of the Fourteenth order, which motion prevailed.

**MOTION**

**REP. CARLSON MOVED** that SB 2009, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

**MOTION**

**REP. VIGESAA MOVED** that the House stand in recess until 4:00 p.m., which motion prevailed.

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

**MOTION**

**REP. GRANDE MOVED** that the House reconsider its action whereby the amendments to HB 1162 were adopted, which motion prevailed.

Engrossed HB 1162 was placed on the Eleventh order of business.

**MOTION**

**REP. CARLSON MOVED** that HB 1162 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Carlson's motion, HB 1162 was rereferred.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1001 as printed on HJ page 1007 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 1001: Reps. Berg, Kempenich, Kaldor.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1002 as printed on HJ page 1002 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 1002: Reps. Thoreson, Dosch, S. Meyer.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1003 as printed on HJ page 1171 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 1003: Reps. Delzer, Thoreson, Kaldor.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1004 as printed on HJ page 1002 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 1004: Reps. Thoreson, Kempenich, Glassheim.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1005 as printed on HJ page 1115 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 1005: Reps. Dosch, Kempenich, S. Meyer.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1006 as printed on HJ page 1115 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 1006: Reps. Dosch, Thoreson, Glassheim.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1007 as printed on HJ page 1002 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 1007: Reps. Kempenich, Dosch, S. Meyer.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1008 as printed on HJ page 1115 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 1008: Reps. Thoreson, Berg, Kaldor.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1009 as printed on HJ page 1381 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 1009: Reps. Klein, Skarphol, Onstad.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1010 as printed on HJ page 1190 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 1010: Reps. Thoreson, Delzer, Glassheim.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1011 as printed on HJ page 1002 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 1011: Reps. Dosch, Berg, Kaldor.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1013 as printed on HJ page 1190 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 1013: Reps. Skarphol, Wald, Kroeber.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1016 as printed on HJ page 1270 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 1016: Reps. Kempenich, Thoreson, Glassheim.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1017 as printed on HJ page 1138 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 1017: Reps. Wald, Klein, Kroeber.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1019 as printed on HJ page 1382 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 1019: Reps. Martinson, Klein, Williams.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1021 as printed on HJ page 1091 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 1021: Reps. Wald, Klein, Kroeber.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1022 as printed on HJ page 1174 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 1022: Reps. Berg, Dosch, S. Meyer.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1073 as printed on HJ page 1138 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 1073: Reps. Porter, Weisz, Conrad.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KEISER MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1253 as printed on HJ page 0919 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 1253: Reps. Sukut, Clark, Schneider.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1305 as printed on HJ page 1195 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 1305: Reps. Skarphol, Hawken, Onstad.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1377 as printed on HJ page 1174 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 1377: Reps. Thoreson, Skarphol, Kaldor.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do not concur in the Senate amendments to Reengrossed HB 1478 as printed on HJ page 1325 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 1478: Reps. Porter, Pietsch, Potter.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to HB 1481 as printed on HJ page 1220 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 1481: Reps. Skarphol, Wald, Williams.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. SVEDJAN MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2005, which motion prevailed.

**THE SPEAKER APPOINTED** as a Conference Committee on:

**SB 2005:** Reps. Nelson, Kreidt, Kerzman

**APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. WEISZ MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2044, Engrossed SB 2097, Engrossed SB 2098, Engrossed SB 2158, and SB 2195, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on:

**SB 2044:** Reps. Pietsch, Porter, Kilichowski

**Engrossed SB 2097:** Reps. Uglem, Damschen, Potter

**Engrossed SB 2098:** Reps. Hofstad, Frantsvog, Holman

**Engrossed SB 2158:** Reps. Uglem, Nathe, Conrad

**SB 2195:** Reps. Porter, Weisz, Kilichowski

**APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. DEKREY MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2114, SB 2116, Engrossed

SB 2171, SB 2250, SB 2267, SB 2293, Reengrossed SB 2415, and Engrossed SB 2421, which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on:

**SB 2114:** Reps. Klemin, Hatlestad, Zaiser

**SB 2116:** Reps. Klemin, Hatlestad, Delmore

**Engrossed SB 2171:** Reps. Dahl, Kingsbury, Delmore

**SB 2250:** Reps. Koppelman, Kretschmar, Griffin

**SB 2267:** Reps. Dahl, Boehning, Wolf

**SB 2293:** Reps. Boehning, DeKrey, Zaiser

**Reengrossed SB 2415:** Reps. Klemin, Koppelman, Delmore

**Engrossed SB 2421:** Reps. Dahl, Koppelman, Wolf

#### APPOINTMENT OF CONFERENCE COMMITTEE

**REP. BELTER MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2373, which motion prevailed.

**THE SPEAKER APPOINTED** as a Conference Committee on:

**SB 2373:** Reps. Belter, Brandenburg, Winrich

#### REPORT OF STANDING COMMITTEE

**SB 2244, as reengrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). Reengrossed SB 2244 was placed on the Sixth order on the calendar.

Page 1, line 2, after "57-02-08" insert "and subsection 4 of section 57-02-27.2"

Page 1, line 3, after "farmer" insert "and the capitalization rate for valuation of agricultural property"

Page 2, after line 16, insert:

**"SECTION 2. AMENDMENT.** Subsection 4 of section 57-02-27.2 of the North Dakota Century Code is amended and reenacted as follows:

4. To find the "capitalized average annual gross return", the average annual gross return must be capitalized by a rate that is a ten-year average of the gross agribank mortgage rate of interest for North Dakota, but the rate used for capitalization under this section may not be less than eight ~~and nine-tenths percent for taxable year 2005 and eight and three-tenths percent for taxable years after 2005~~ year 2009, seven and seven-tenths percent for taxable year 2010, and seven and four-tenths percent for taxable year 2011. The ten-year average must be computed from the twelve years ending with the most recent year used under subdivision a of subsection 3, discarding the highest and lowest years, and the gross agribank mortgage rate of interest for each year must be determined in the manner provided in section 20.2032A-4(e)(1) of the United States treasury department regulations for valuing farm real property for federal estate tax purposes, except that the interest rate may not be adjusted as provided in section 20.2032A-4(e)(2)."

Page 2, line 18, after "and" insert "section 1 of this Act"

Renumber accordingly

#### SIXTH ORDER OF BUSINESS

**SB 2244, as engrossed: REP. BELTER (Finance and Taxation Committee) MOVED** that the amendments on HJ pages 1099-1100 be adopted and then be placed on the Fourteenth order with **DO PASS**.

The amendments to Engrossed SB 2003 were adopted on a voice vote.

#### MOTION

**REP. VIGESAA MOVED** that SB 2244 be placed at the top of the Fourteenth order, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2244:** A BILL for an Act to amend and reenact paragraph 2 of subdivision b of subsection 15 of section 57-02-08 and subsection 4 of section 57-02-27.2 of the North Dakota Century Code, relating to continuation of the farm residence exemption for the surviving spouse of a deceased farmer and the capitalization rate for valuation of agricultural property; 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 87 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Boe; Conklin; Froelich; Kerzman; Nelson

**ABSENT AND NOT VOTING:** Johnson, N.; Kempenich

Engrossed SB 2244, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2014:** A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; 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; to amend and reenact section 54-17.5-01 of the North Dakota Century Code, relating to education activities relating to the lignite industry; to repeal section 16 of chapter 14 of the 2007 Session Laws, relating to a transfer from the North Dakota mill and elevator association; to provide legislative intent; to provide an appropriation; to provide a contingent appropriation; to provide an exemption; to authorize transfers; 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 86 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Delmore; Kasper; Meyer, S.; Ruby; Weiler; Wrangham

**ABSENT AND NOT VOTING:** Johnson, N.; Kempenich

Reengrossed SB 2014, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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**MOTION**

**REP. VIGESAA MOVED** that SB 2353 be moved to the top of the Fourteenth order, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2353:** A BILL for an Act to amend and reenact subdivision d of subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to state officer and employee lodging reimbursement.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 73 YEAS, 19 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Johnson, D.; Kaldor; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Meier, L.; Metcalf; Myxter; Nathe; Nelson; Nottestad; Onstad; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Thoreson; Thorpe; Uglen; Vig; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Winrich; Zaiser; Speaker Monson

**NAYS:** Boe; Delzer; Froelich; Hunskor; Karls; Kasper; Keiser; Kerzman; Koppelman; Martinson; Meyer, S.; Mock; Mueller; Pietsch; Pinkerton; Svedjan; Weisz; Wolf; Wrangham

**ABSENT AND NOT VOTING:** Johnson, N.; Kempenich

Engrossed SB 2353, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2064:** A BILL for an Act to amend and reenact subdivision d of subsection 2 of section 44-08-04, subsections 1, 2, 3, and 7 of section 54-03-20, subsection 1 of section 54-06-09, and section 54-35-10 of the North Dakota Century Code, relating to legislative compensation and state officer and employee lodging and mileage reimbursement; to provide an effective date; 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 54 YEAS, 38 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Berg; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; DeKrey; Delmore; Dosch; Ekstrom; Frantsvog; Froseth; Glassheim; Hanson; Hawken; Headland; Hofstad; Holman; Johnson, D.; Kelsch, R.; Kelsh, J.; Kilichowski; Kingsbury; Klein; Kreidt; Kretschmar; Kroeber; Meier, L.; Myxter; Nathe; Nelson; Onstad; Pinkerton; Pollert; Porter; Potter; Schatz; Schmidt; Schneider; Skarphol; Thoreson; Thorpe; Uglen; Vig; Wald; Wall; Weisz; Williams; Winrich; Zaiser; Speaker Monson

**NAYS:** Amerman; Bellew; Belter; Boe; Damschen; Delzer; Drovdal; Froelich; Grande; Griffin; Gruchalla; Hatlestad; Heller; Hunskor; Kaldor; Karls; Kasper; Keiser; Kelsh, S.; Kerzman; Klemin; Koppelman; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Nottestad; Pietsch; Ruby; Rust; Sukut; Svedjan; Vigesaa; Weiler; Wieland; Wolf; Wrangham

**ABSENT AND NOT VOTING:** Johnson, N.; Kempenich

Engrossed SB 2064, as amended, passed, the title was agreed to, but the emergency clause lost.

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**SECOND READING OF SENATE BILL**

**SB 2227:** A BILL for an Act to amend and reenact subsections 5 and 6 of section 43-12.2-01 and subsection 3 of section 43-12.2-03 of the North Dakota Century Code, relating to the medical loan repayment program; and to provide an 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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Delzer; Kasper; Wrangham

**ABSENT AND NOT VOTING:** Johnson, N.; Kempenich

SB 2227, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

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

**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; Bellew; Boe; Boucher; Brandenburg; Carlson; Conklin; Conrad; Dahl; DeKrey; Delmore; Ekstrom; Frantsvog; Froelich; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Kaldor; Karls; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Koppelman; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pinkerton; Porter; Potter; Rust; Schatz; Schmidt; Schneider; Sukut; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Zaiser; Speaker Monson

**NAYS:** Belter; Berg; Boehning; Clark; Damschen; Delzer; Dosch; Drovdal; Froseth; Headland; Kasper; Klein; Klemin; Kreidt; Nathe; Pietsch; Pollert; Ruby; Skarphol; Svedjan; Thoreson; Wrangham

**ABSENT AND NOT VOTING:** Glassheim; Johnson, N.; Keiser; Kempenich

SB 2277 passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to Engrossed HB 1204 as printed on HJ page 1063, which motion prevailed on a voice vote.

Engrossed HB 1204, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1204:** A BILL for an Act to create and enact subsection 15 to section 26.1-36-05, a new section to chapter 26.1-36, and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to health insurance coverage for medical services related to intoxication; to amend and reenact subsection 2 of section 26.1-36-04 of the North Dakota Century Code, relating to individual health insurance coverage of injuries caused by intoxication or the use of narcotics or incurred in the commission of a crime; 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, 1 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; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Wald

**ABSENT AND NOT VOTING:** Johnson, N.; Keiser; Kempenich; Weiler

Reengrossed HB 1204 passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. DEKREY MOVED** that the House do concur in the Senate amendments to Engrossed HB 1237 as printed on HJ page 1114, which motion prevailed on a voice vote.

Engrossed HB 1237, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1237:** A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to allowing correctional officers to carry weapons in certain circumstances; 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; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Johnson, N.; Keiser; Kempenich; Weiler

Reengrossed HB 1237 passed, the title was agreed to, and the emergency clause was declared carried.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. DEKREY MOVED** that the House do concur in the Senate amendments to Engrossed HB 1238 as printed on HJ page 1114, which motion prevailed on a voice vote.

Engrossed HB 1238, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1238:** A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to the housing of out-of-state inmates by correctional facilities; to amend and reenact section 12-44.1-02 of the North Dakota Century Code, relating to the housing of out-of-state inmates by correctional facilities; 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; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Johnson, N.; Keiser; Kempenich; Weiler

Reengrossed HB 1238 passed, the title was agreed to, and the emergency clause was declared carried.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WRANGHAM MOVED** that the House do concur in the Senate amendments to HB 1266 as printed on HJ page 1087, which motion prevailed on a voice vote.

HB 1266 was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1266:** A BILL for an Act to amend and reenact subsection 2 of section 40-57-02, subsection 11 of section 40-57-03, sections 40-57-04, 40-57-05, 40-57-07, and 40-57-14, and subsection 1 of section 40-57-19.1 of the North Dakota Century Code, relating to municipal industrial development bonds.

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

**ABSENT AND NOT VOTING:** Johnson, N.; Keiser; Kempenich; Weiler

Engrossed HB 1266 passed and the title was agreed to.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1026, HB 1063, HB 1080, HB 1100, HB 1111, HB 1114, HB 1124, HB 1125, HB 1133, HB 1134, HB 1148, HB 1152, HB 1154, HB 1155, HB 1156, HB 1157, HB 1161, HB 1165, HB 1167, HB 1173, HB 1178, HB 1214, HB 1219, HB 1233, HB 1264, HB 1298, HB 1309, HB 1311, HB 1334, HB 1336, HB 1343.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 14, 2009: HB 1026, HB 1063, HB 1080, HB 1100, HB 1111, HB 1114, HB 1124, HB 1125, HB 1133, HB 1134, HB 1148, HB 1152, HB 1154, HB 1155, HB 1156, HB 1157, HB 1161, HB 1165, HB 1167, HB 1173, HB 1178, HB 1214, HB 1219, HB 1233, HB 1264, HB 1298, HB 1309, HB 1311, HB 1334, HB 1336, HB 1343.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2047, SB 2081, SB 2082, SB 2096, SB 2100, SB 2101, SB 2128, SB 2131, SB 2155, SB 2157, SB 2168, SB 2192, SB 2218, SB 2221, SB 2243, SB 2279, SB 2318, SB 2355, SB 2372, SB 2393, SB 2405.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1023.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on April 14, 2009: HB 1023.

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

**MR. PRESIDENT:** The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2270:** Reps. Hatlestad; Pietsch; Zaiser

**SB 2359:** Reps. Kretschmar; N. Johnson; Kilichowski

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1195, HB 1249, HB 1263, HB 1278, HB 1284, HB 1307, HB 1317.

**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 1053, HB 1412, HB 1509, and HB 1554 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1053:** Reps. Wrangham; Klemin; Mock

**HB 1412:** Reps. Headland; Kretschmar; J. Kelsh

**HB 1509:** Reps. DeKrey; Damschen; S. Kelsh

**HB 1554:** Reps. Koppelman; Headland; J. Kelsh

**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 2001, SB 2003.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and passed: HB 1082, HB 1162, HB 1166, HB 1342, HB 1391, HB 1392, HB 1401, HB 1448, HB 1458, HB 1461, HB 1514, HB 1534, HB 1573, HCR 3021, HCR 3030, HCR 3039, and HCR 3045.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and passed: HB 1074, HB 1361, HB 1433, HB 1438, HB 1472, and HB 1561.

**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 1001, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1013, HB 1016, HB 1017, HB 1019, HB 1021, HB 1022, HB 1073, HB 1253, and HB 1305 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1001:** Reps. Berg; Kempenich; Kaldor

**HB 1002:** Reps. Thoreson; Dosch; S. Meyer

**HB 1003:** Reps. Delzer; Thoreson; Kaldor

**HB 1004:** Reps. Thoreson; Kempenich; Glassheim

**HB 1005:** Reps. Dosch; Kempenich; S. Meyer

**HB 1006:** Reps. Dosch; Thoreson; Glassheim

**HB 1007:** Reps. Kempenich; Dosch; S. Meyer

**HB 1008:** Reps. Thoreson; Berg; Kaldor

**HB 1009:** Reps. Klein; Skarphol; Onstad

**HB 1010:** Reps. Thoreson; Delzer; Glassheim

**HB 1011:** Reps. Dosch; Berg; Kaldor

**HB 1013:** Reps. Skarphol; Wald; Kroeber

**HB 1016:** Reps. Kempenich; Thoreson; Glassheim

**HB 1017:** Reps. Wald; Klein; Kroeber

**HB 1019:** Reps. Martinson; Klein; Williams

**HB 1021:** Reps. Wald; Klein; Kroeber

**HB 1022:** Reps. Berg; Dosch; S. Meyer

**HB 1073:** Reps. Porter; Weisz; Conrad

**HB 1253:** Reps. Sukut; Clark; Schneider

**HB 1305:** Reps. Skarphol; Hawken; Onstad

**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 1377, HB 1478, and HB 1481 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1377:** Reps. Thoreson; Skarphol; Kaldor

**HB 1478:** Reps. Porter; Pietsch; Potter

**HB 1481:** Reps. Skarphol; Wald; Williams

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

**MR. PRESIDENT:** The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2005:** Reps. Nelson; Kreidt; Kerzman

**SB 2044:** Reps. Pietsch; Porter; Kilichowski

**SB 2097:** Reps. Uglem; Damschen; Potter

**SB 2098:** Reps. Hofstad; Frantsvog; Holman

**SB 2114:** Reps. Klemin; Hatlestad; Zaiser

**SB 2116:** Reps. Klemin; Hatlestad; Delmore

**SB 2158:** Reps. Uglem; Nathe; Conrad

**SB 2171:** Reps. Dahl; Kingsbury; Delmore

**SB 2195:** Reps. Porter; Weisz; Kilichowski

**SB 2250:** Reps. Koppelman; Kretschmar; Griffin

**SB 2267:** Reps. Dahl; Boehning; Wolf

**SB 2293:** Reps. Boehning; DeKrey; Zaiser

**SB 2373:** Reps. Belter; Brandenburg; Winrich

**SB 2415:** Reps. Klemin; Koppelman; Delmore

**SB 2421:** Reps. Dahl; Koppelman; Wolf

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2227, SB 2244, SB 2277, SB 2353.

**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 2014.

**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 2064.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and passed: HB 1204, HB 1237, HB 1238, and HB 1266.

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

**MR. SPEAKER:** The President has appointed as a conference committee to act with a like committee from the House on:

**HB 1035:** Sens. Nodland; Klein; Potter

**HB 1039:** Sens. Lyson; Nething; Fiebiger

**HB 1041:** Sens. Olafson; Lyson; Nelson

**HB 1151:** Sens. Andrist; Nodland; Potter

**HB 1186:** Sens. Olafson; Nething; Nelson

**HB 1207:** Sens. Nething; Lyson; Fiebiger

**HB 1239:** Sens. Hogue; Freborg; Schneider

**HB 1252:** Sens. Nething; Olafson; Nelson

**HB 1265:** Sens. Flakoll; Freborg; Bakke

**HB 1295:** Sens. Nodland; G. Lee; Potter

**HB 1301:** Sens. Nodland; Andrist; Horne

**HB 1308:** Sens. Wanzek; Klein; Behm

**HB 1322:** Sens. Lyson; Erbele; Pomeroy

**HB 1330:** Sens. Klein; Wanzek; Horne

**HB 1338:** Sens. J. Lee; Andrist; Anderson

**HB 1347:** Sens. Lyson; Nething; Schneider

**HB 1360:** Sens. G. Lee; Flakoll; Taylor

**HB 1400:** Sens. Freborg; Flakoll; Taylor

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2007, SB 2010, SB 2016, SB 2019, SB 2022, SB 2230, SB 2266, and SB 2391 and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2007:** Sens. Kilzer; Bowman; Mathern

**SB 2010:** Sens. Kilzer; Holmberg; Seymour

**SB 2016:** Sens. Grindberg; Holmberg; Seymour

**SB 2019:** Sens. Grindberg; Christmann; Seymour

**SB 2022:** Sens. Bowman; Krebsbach; Lindaas

**SB 2230:** Sens. Dever; J. Lee; Heckaman

**SB 2266:** Sens. J. Lee; Erbele; Heckaman

**SB 2391:** Sens. Erbele; Dever; Pomeroy

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

**MR. SPEAKER:** The President has signed: HB 1023, HB 1032, HB 1042, HB 1044, HB 1083, HB 1088, HB 1093, HB 1171, HB 1207, HCR 3008, HCR 3013, HCR 3025, HCR 3032.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4036.

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and passed: SB 2035, SB 2040, SB 2042, SB 2089, SB 2090, SB 2112, SB 2216, SB 2222, SB 2224, SB 2239, SB 2247, SB 2342, SB 2352, SB 2413, SB 2417, SB 2431, SB 2432, SB 2433, SCR 4008, and SCR 4016.

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and passed: SB 2099 and SB 2394.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1551.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1551**

In addition to the amendments adopted by the Senate as printed on page 740 of the Senate Journal, House Bill No. 1551 is further amended as follows:

Page 1, line 2, remove "and" and after "date" insert "; and to provide an expiration date"

Page 4, line 25, after "**DATE**" insert "**- EXPIRATION DATE**"

Page 4, line 26, after "2009" insert ", and before July 1, 2013, and is thereafter ineffective"

ReNUMBER accordingly

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

**MR. SPEAKER:** The Senate has passed unchanged: HB 1577, HCR 3065.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2047, SB 2081, SB 2082, SB 2096, SB 2100, SB 2101, SB 2128, SB 2131, SB 2155, SB 2157, SB 2168, SB 2192, SB 2218, SB 2221, SB 2243, SB 2279, SB 2318, SB 2355, SB 2372, SB 2393, SB 2405.

**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 12:30 p.m., Wednesday, April 15, 2009, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SCR 4030, as engrossed: Constitutional Revision Committee (Rep. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SCR 4030 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1252 and 1253 of the House Journal, Engrossed Senate Concurrent Resolution No. 4030 is amended as follows:

Page 1, line 16, replace "Interest earnings" with "Earnings"

Renumber accordingly

#### REPORT OF CONFERENCE COMMITTEE

**HB 1329:** Your conference committee (Sens. Erbele, Dever, Pomeroy and Reps. Weisz, Nathe, Conklin) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 956-957 and place HB 1329 on the Seventh order.

That the House accede to the Senate amendments as printed on pages 956 and 957 of the House Journal and page 739 of the Senate Journal and that House Bill No. 1329 be further amended as follows:

Page 1, line 1, after "Act" insert "to create and enact a new subsection to section 14-09-09.3 of the North Dakota Century Code, relating to the duties and liabilities of an income payer;"

Page 1, after line 3, insert:

**"SECTION 1.** A new subsection to section 14-09-09.3 of the North Dakota Century Code is created and enacted as follows:

If an income payer makes an error in the remittal information the income payer provides to the state disbursement unit, the income payer has not complied with this section and is responsible for the error, but has a cause of action for reimbursement against any person that receives funds from the disbursement unit as a result of the error and refuses to return the funds upon request."

Renumber accordingly

HB 1329 was placed on the Seventh order of business on the calendar.

#### FIRST READING OF SENATE CONCURRENT RESOLUTION

**SCR 4036:** A concurrent resolution urging the United States Department of Agriculture to implement livestock indemnity program regulations that account for the fair market value of newborn calves and their cost of production.

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

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

**Buell J. Reich, Chief Clerk**