

**JOURNAL OF THE HOUSE****Sixty-first Legislative Assembly**

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**Bismarck, April 22, 2009**

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

The prayer was offered by Chaplain Dave Vaughn, North Dakota State Penitentiary, Bismarck.

The roll was called and all members were present except Representatives Boe and Vigesaa.

A quorum was declared by the Speaker.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. GRANDE MOVED** that the conference committee report on Engrossed HB 1510 as printed on HJ page 1066 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1510, as amended, was placed on the Eleventh order.

**SECOND READING OF HOUSE BILL**

**HB 1510:** A BILL for an Act to amend and reenact subsection 1 of section 37-19.1-04 of the North Dakota Century Code, relating to veterans' preference.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Clark; Froseth

**ABSENT AND NOT VOTING:** Boe; Vigesaa

Reengrossed HB 1510 passed and the title was agreed to.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. GRANDE MOVED** that the conference committee report on Engrossed HB 1116 as printed on HJ page 1117 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1116, as amended, was placed on the Eleventh order.

**SECOND READING OF HOUSE BILL**

**HB 1116:** A BILL for an Act to create and enact a new section to chapter 43-10 of the North Dakota Century Code, relating to the powers of the state board of funeral service to conduct information seminars; and to amend and reenact subsection 6 of section 43-10-10.1 and sections 43-10-13, 43-10-14, 43-10-15, 43-10-15.1, 43-10-22, and 43-10-23 of the North Dakota Century Code, relating to an exception to the requirement of a license to practice funeral service, licensing of funeral practitioners, and licensing and inspection of funeral establishments.

**ROLL CALL**

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

**YEAS:** Amerman; Bellew; Belter; Berg; 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.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Vigesaa

Reengrossed HB 1116 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 House has adopted the conference committee report and subsequently passed: HB 1116, HB 1510.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2028, SB 2051, SB 2098, SB 2114, SB 2116, SB 2163, SB 2251, SB 2270, SB 2338, SB 2438.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1059, HB 1129, HB 1158, HB 1239, HB 1322, HB 1330.

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

**MR. SPEAKER:** The President has appointed Sen. Horne to replace Sen. Nelson on the Conference Committee on HB 1490.

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

**MR. SPEAKER:** The President has appointed Sen. Horne to replace Sen. Nelson on the Conference Committee on HB 1554.

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

**MR. SPEAKER:** The President has appointed Sen. Horne to replace Sen. Nelson on the Conference Committee on SB 2027.

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

**MR. SPEAKER:** The President has appointed Sen. Horne to replace Sen. Nelson on the Conference Committee on SB 2064.

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

**MR. SPEAKER:** The President has appointed Sen. Horne to replace Sen. Nelson on the Conference Committee on SB 2277.

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and passed: SB 2443.

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

**MR. SPEAKER:** The Senate has adopted the conference committee reports and passed: HB 1039, HB 1041, HB 1186, HB 1269, and HB 1338.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1039, HB 1041, HB 1186, HB 1269, HB 1338.

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

**MR. SPEAKER:** The President has appointed Sen. Fiebiger to replace Sen. Nelson on the Conference Committee on HB 1551.

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

**MR. SPEAKER:** The President has appointed Sen. Fiebiger to replace Sen. Nelson on the Conference Committee on HB 1252.

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

**MR. SPEAKER:** The President has appointed Sen. Grindberg to replace Sen. Bowman on the Conference Committee on SB 2075.

**REPORT OF STANDING COMMITTEE**

**HCR 3067: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (9 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HCR 3067 was placed on the Sixth order on the calendar.

Page 2, line 3, after the comma insert "the Majority and Minority Leaders of the United States House of Representatives and the United States Senate,"

Renumber accordingly

**MOTION**

**REP. CARLSON MOVED** that the House stand in recess until 12:30 p.m., which motion prevailed.

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

**SIXTH ORDER OF BUSINESS**

**SPEAKER MONSON DEEMED** approval of the amendments to Engrossed HCR 3067.

Engrossed HCR 3067, as amended, was placed on the Tenth order of business on the calendar.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION ON CONSENT CALENDAR**

**HCR 3067:** A concurrent resolution urging the restoration, through legal or political means, of the Environmental Protection Agency's final rule exempting pesticides from the Clean Water Act's permitting requirements.

The question being on the final adoption of the resolution, which has been read.

HCR 3067 was declared adopted on a voice vote, and the title was agreed to.

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**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 Engrossed SB 2038, which motion prevailed.

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

**Engrossed SB 2038:** Reps. Skarphol, R. Kelsch, Williams

**MOTION**

**REP. CARLSON MOVED** that the House Conference Committee on Reengrossed HB 1235 be dissolved and that Reengrossed HB 1235 be placed on the calendar as a Do Concur under the 12th Order of Business, which motion prevailed.

**MOTION**

**REP. CARLSON MOVED** that Rep. Schneider replace Rep. Gruchalla on the House Conference Committee for Engrossed SB 2059, which motion prevailed.

**MOTION**

**REP. CARLSON MOVED** that Rep. Carlson replace Rep. Skarphol on Engrossed SB 2009, which motion prevailed.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. BELTER MOVED** that the House do concur in the Senate amendments to Reengrossed HB 1235 as printed on HJ pages 1085-1086, which motion prevailed on a verification vote.

Reengrossed HB 1235, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1235:** A BILL for an Act to amend and reenact subsection 9 of section 57-51.1-03 of the North Dakota Century Code, relating to an oil extraction tax rate reduction for horizontal wells; 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 80 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Amerman; Froelich; Griffin; Gruchalla; Kelsh, J.; Kelsh, S.; Kilichowski; Mock; Myxter; Potter; Schneider; Vig

**ABSENT AND NOT VOTING:** Boe; Vigesaa

Reengrossed HB 1235 passed, the title was agreed to, and the emergency clause was declared carried.

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**COMMUNICATION FROM GOVERNOR JOHN HOEVEN**

This is to inform you that on April 21, 2009, I have signed the following: HB 1029, HB 1032, HB 1042, HB 1043, HB 1044, HB 1045, HB 1071, HB 1074, HB 1082, HB 1083, HB 1088, HB 1093, HB 1113, HB 1166, HB 1195, HB 1204, HB 1207, HB 1209, HB 1217, HB 1229, HB 1231, HB 1237, HB 1238, HB 1240, HB 1249, HB 1256, HB 1263, HB 1266, HB 1278, and HB 1284.

Also, on April 21, 2009, I have signed the following: HB 1288, HB 1289, HB 1303, HB 1306, HB 1307, HB 1317, HB 1339, HB 1342, HB 1346, HB 1361, HB 1371, HB 1378, HB 1391, HB 1392, HB 1401, HB 1433, HB 1435, HB 1438, HB 1445, HB 1448, HB 1452, HB 1458, HB 1461, HB 1463, HB 1464, HB 1472, HB 1514, HB 1530, HB 1534, and HB 1556.

Also, on April 21, 2009, I have signed the following: HB 1561, HB 1562, HB 1573, HB 1575, and HB 1577.

**MOTION**

**REP. CARLSON MOVED** that the House Majority Leader be given authority to make substitutions as needed on the House Conference Committees through Day 70, which motion prevailed.

**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: HCR 3067.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Schneider to replace Rep. Gruchalla on the Conference Committee on SB 2059.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Carlson to replace Rep. Skarphol on the Conference Committee on SB 2009.

**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 2038:** Reps. Skarphol; R. Kelsch; Williams

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1235.

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

**MR. SPEAKER:** The President has appointed Sen. Schneider to replace Sen. Nelson on the Conference Committee on SB 2161.

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

**MR. SPEAKER:** The President has appointed Sen. Schneider to replace Sen. Nelson on the Conference Committee on SB 2172.

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

**MR. SPEAKER:** The President has signed: HB 1039, HB 1041, HB 1059, HB 1129, HB 1158, HB 1186, HB 1239, HB 1269, HB 1322, HB 1330, HB 1338.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2171, SB 2293, SB 2415, SB 2421, SB 2441, SB 2443.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1090, as engrossed:** Your conference committee (Sens. Dever, Erbele, Pomeroy and Reps. Nathe, Damschen, Kilichowski) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1382 and place HB 1090 on the Seventh order.

Engrossed HB 1090 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1110, as engrossed:** Your conference committee (Sens. Wanzek, Flakoll, Heckaman and Reps. Wall, Uglem, Boe) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 906, adopt amendments as follows, and place HB 1110 on the Seventh order:

That the Senate recede from its amendments as printed on page 906 of the House Journal and page 691 of the Senate Journal and that Engrossed House Bill No. 1110 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact chapter 36-26 of the North Dakota Century Code, relating to feral swine; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** Chapter 36-26 of the North Dakota Century Code is created and enacted as follows:

**36-26-01. Definitions.** As used in this chapter:

1. "Board" means the state board of animal health.
2. "Feral swine" means a hog, boar, or pig that:
  - a. Appears to be untamed or undomesticated;
  - b. Appears to have reverted from a domesticated to a wild state; and
  - c. Is freeroaming.

**36-26-02. Board - Authority.** The board is responsible for the control and eradication of feral swine on state lands and on private lands in this state.

**36-26-03. Prohibited actions.**

1. A person may not import, transport, or possess live feral swine.
2. A person may not intentionally, knowingly, or negligently allow swine to live in a feral state.

3. a. A person may not:
  - (1) Hunt or trap feral swine;
  - (2) Sponsor or promote the hunting or trapping of feral swine;
  - (3) Assist in the hunting or trapping of feral swine;
  - (4) Profit from the release of feral swine; or
  - (5) Profit from the hunting or trapping of feral swine.
- b. Paragraphs 1 through 3 of subdivision a do not apply to a state or federal agency or any person authorized by a state or federal agency to engage in the control or eradication of feral swine.

**36-26-04. Presence of feral swine - Notification of board - Immediate threat.**

1. Any person having reason to believe that feral swine are present on property owned by or legally occupied by that person shall notify the board and cooperate with the board in controlling or eradicating the feral swine.
2. a. Notwithstanding any other provision of this chapter, if a person encounters a feral swine on property owned by or legally occupied by that person and determines that the feral swine poses a threat of harm or destruction of property, the person may immediately eradicate the feral swine.
- b. Any person eradicating a swine under this subsection shall notify the board as soon as practicable, but in no event later than twenty-four hours after the time of the eradication. The person shall follow any instructions given by the board with respect to the handling of the carcass, preservation of the carcass for testing, and disposal of the carcass.

**36-26-05. Civil penalty.**

1. Any person violating section 36-26-03 is subject to:
  - a. A civil penalty in an amount not exceeding five thousand dollars per violation; and
  - b. A claim for the actual costs of control or eradication incurred by any state or federal government agency as a result of the person's violation.
2. Any person violating section 36-26-04 is subject to a civil penalty in an amount not exceeding two hundred fifty dollars for a first offense and a civil penalty in an amount not exceeding five thousand dollars for a subsequent offense."

Renumber accordingly

Engrossed HB 1110 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1490:** Your conference committee (Sens. Dever, Oehlke, Horne and Reps. Froseth, Karls, Winrich) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1177, adopt amendments as follows, and place HB 1490 on the Seventh order:

That the Senate recede from its amendments as printed on page 1177 of the House Journal and pages 1013 and 1014 of the Senate Journal and that House Bill No. 1490 be amended as follows:

Page 1, line 2, after the first comma insert "and" and remove ", and section 16.1-08.1-03.10 and"

Page 1, line 3, remove "16.1-08.1-03.11"

Page 2, remove lines 21 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 19

Renumber accordingly

HB 1490 was placed on the Seventh order of business on the calendar.

#### MOTION

**REP. CARLSON 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. CARLSON MOVED** the House Conference Committee on SB 2391 be dissolved and that a new conference committee be appointed, which motion prevailed.

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

**SB 2391:** Reps. Damschen, Nathe, Kilichowski

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. WEISZ MOVED** that the conference committee report on Engrossed HB 1090 as printed on HJ page 1382 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1090, as amended, was placed on the Eleventh order.

#### MOTION

**REP. POTTER MOVED** that the House reconsider its action whereby the Conference Committee report on HB 1090 was adopted, which motion prevailed.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. WEISZ MOVED** that the conference committee report on Engrossed HB 1090 as printed on HJ page 1382 be adopted, which motion failed on a voice vote.

Engrossed HB 1090, as amended, was returned to the conference committee for further consideration.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. D. JOHNSON MOVED** that the conference committee report on Engrossed HB 1110 as printed on HJ page 906 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1110, as amended, was placed on the Eleventh order.

#### SECOND READING OF HOUSE BILL

**HB 1110:** A BILL for an Act to create and enact chapter 36-26 of the North Dakota Century Code, relating to feral swine; 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 72 YEAS, 19 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boucher; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klemin; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Onstad; Pietsch; Pinkerton; Porter; Potter; Ruby; Rust; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Speaker Monson

**NAYS:** Brandenburg; Delzer; Dosch; Drovdal; Grande; Headland; Heller; Kempenich; Klein; Koppelman; Kreidt; Nathe; Nottestad; Pollert; Schatz; Wald; Weiler; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Boe; Boehning; Vigesaa

Reengrossed HB 1110 passed and the title was agreed to.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. GRANDE MOVED** that the conference committee report on HB 1490 as printed on HJ page 1177 be adopted, which motion prevailed on a voice vote.

HB 1490 was placed on the Eleventh order.

**SECOND READING OF HOUSE BILL**

**HB 1490:** A BILL for an Act to amend and reenact subsection 5 of section 16.1-08.1-01, section 16.1-08.1-03.2, and subsection 1 of section 16.1-08.1-03.9 of the North Dakota Century Code, relating to campaign finance.

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

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

**ABSENT AND NOT VOTING:** Boe; Boehning; Vigesaa

Engrossed HB 1490 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 House has not adopted the conference committee report on: HB 1090.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1110, HB 1490.

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

**MR. PRESIDENT:** The House has not adopted the conference committee report and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

**SB 2391:** Reps. Damschen; Nathe; Kilichowski

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and passed: HB 1073.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and passed: SB 2232.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: HB 1053, HB 1194.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: SB 2152, SB 2401.

**MOTION**

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

**MOTION**

**REP. CARLSON 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 8:00 a.m., Thursday, April 23, 2009, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1489, as engrossed:** Your conference committee (Sens. Oehlke, Miller, Dotzenrod and Reps. Headland, Brandenburg, Schmidt) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1009, adopt amendments as follows, and place HB 1489 on the Seventh order:

That the Senate recede from its amendments as printed on page 1009 of the House Journal and pages 795 and 869 of the Senate Journal and that Engrossed House Bill No. 1489 be amended as follows:

Page 1, line 3, after "costs" insert "; to provide for a legislative council study"

Page 1, line 11, overstrike "adapting" and insert immediately thereafter "construction of"

Page 1, line 14, replace "adapting" with "construction of"

Page 2, after line 2, insert:

**"SECTION 2. LEGISLATIVE COUNCIL STUDY - INCENTIVES FOR VALUE-ADDED AGRICULTURE.** During the 2009-10 interim, the legislative council shall consider studying the availability of tax incentives, grant programs, and any other direct or indirect public subsidization designed to encourage and promote value-added agriculture and any public and private benefits that accrue as a result of such availability. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly."

Renumber accordingly

Engrossed HB 1489 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2152, as engrossed:** Your conference committee (Sens. Olafson, Nething, Schneider and Reps. Frantsovog, Pietsch, Conrad) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 932 and place SB 2152 on the Seventh order.

Engrossed SB 2152 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2232, as engrossed:** Your conference committee (Sens. Lyson, Olafson, Fiebiger and Reps. Klemin, Kretschmar, Griffin) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 952, adopt amendments as follows, and place SB 2232 on the Seventh order:

That the House recede from its amendments as printed on page 952 of the Senate Journal and page 1011 the House Journal and that Senate Bill No. 2232 be amended as follows:

Page 3, line 10, after "by" insert "personal service or by certified mail upon the third party by a sheriff or by" and remove "for the judgment"

Page 3, line 11, remove "creditor or a sheriff through certified mail or personal service to the third party"

Renumber accordingly

Engrossed SB 2232 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2401, as engrossed:** Your conference committee (Sens. Olafson, J. Lee, Bakke and Reps. Headland, N. Johnson, Mock) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 952 and place SB 2401 on the Seventh order.

Engrossed SB 2401 was placed on the Seventh order of business on the calendar.

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

**Buell J. Reich, Chief Clerk**