

## JOURNAL OF THE HOUSE

## Sixtieth Legislative Assembly

\* \* \* \* \*

Bismarck, March 13, 2007

The House convened at 1:00 p.m., with Speaker Delzer presiding.

The prayer was offered by Pastor Keith Ritchie with Cornerstone Community Church in Bismarck.

The roll was called and all members were present except Representatives Boe, DeKrey, and Metcalf.

A quorum was declared by the Speaker.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN**

This is to inform you that on March 5, 2007, I have signed the following: HB 1248.

Also, on March 12, 2007, I have signed the following: HB 1033, HB 1035, HB 1046, HB 1087, HB 1100, HB 1116, HB 1139, HB 1205, HB 1234, HB 1291, HB 1310, and HB 1412.

**MOTION**

**REP. MONSON MOVED** that the Fourth order commendations made by Representatives of the House recently regarding sports achievements earned by North Dakota schools be printed in the Journal, which motion prevailed.

**POINT OF PERSONAL PRIVILEGE**

**REP. HUNSKOR:** Mr. Speaker: I rise on a point of personal privilege.

Rep. Glen Froseth and I would like to recognize Bottineau High School Senior Eric Herbel for his selection by the North Dakota High School Coaches Association as the Outstanding Senior Athlete/Mr. Hockey Award Recipient.

Eric helped a team that had won one game in each of the previous four seasons to win 11 games this year and come within one win of playing the North Dakota State Hockey Tournament.

During the season Eric had 32 goals and 21 assists for a total of 53 points. Following the completion of the West Region Tournament, Eric was tied for the lead in scoring in the state.

Eric is not only an outstanding hockey player, but also an excellent student athlete at Bottineau High School.

Eric's selection as the Mr. Hockey Award recipient is magnified by the fact that he plays for the school that has by far the smallest enrollment of all schools that have hockey as a part of their sports program.

Eric is the first player from the West Region in 12 years to win the award.

**POINT OF PERSONAL PRIVILEGE**

**REP. N. JOHNSON:** Mr. Speaker: I rise on a point of personal privilege.

On Saturday night, March 10th, the Dickinson High School Boys Basketball team won the State Class A Basketball Tournament.

Congratulations to Dean Winczewski, the coaching staff, and the Dickinson High School Boys Basketball Team on winning the 2007 Boys State Class A Basketball Tournament in Fargo.

Dickinson High School players brought an aggressive style of play on both offense and defense, and were able to score at critical times during the tournament to keep their vision alive. Coupled with an attacking offense was a tenacious defense that kept the opposition off balance.

The State Championship game was a hard fought game with both teams playing hard nose defense, diving for loose balls and battling for rebounds. The key to the game was staying

focused, and Dickinson High stayed focused as they held off a run by Bismarck High toward the end of the game.

Dickinson had four players selected to the all-tournament team: Marcus Fridley, Andrew Jahner, Tate Kick, and Taylor Bruhschwein.

Coach Dean Winczewski was named Class A Boys Basketball Coach of the Year.

The community of Dickinson is proud of the young people in our community and the contributions that they make to Dickinson and Southwest North Dakota. We are especially proud of the Dickinson High School Boys Basketball Team and their accomplishments this past weekend.

#### **POINT OF PERSONAL PRIVILEGE**

**REP. HUNSKOR:** Mr. Speaker: I rise on a point of personal privilege.

Rep. Froseth and I join both the city of Bottineau and the great state of North Dakota in honoring the Minot State University/Bottineau Men's Hockey Team after winning the Men's NJCAA National Title.

The Lumberjacks won their fifth National Hockey Championship on home ice with 5-4 and 2-1 wins over Monroe Community College of Rochester, New York.

It should be noted that MSU/Bottineau has a student enrollment of 650, while Monroe Community College boasts an enrollment of 35,000 plus.

The team of 24 players from four different countries secured their victory late in game two as Eric Schultz scored the winning goal. The team finished this year with an impressive 23-6-1 record.

The most valuable player award was given to Tyson Friesen of Altona Manitoba and the top goal-tender recipient was Eric Everson, of Mosinee, Wisconsin.

Head Coach Travis Rybehinski won the Coach of the Tournament Award while three MSU/Bottineau Lumberjacks were named to the All Tournament Team.

The Bottineau team has further reasons to celebrate as they had a combined GPA for the fall semester of 3.3.

#### **POINT OF PERSONAL PRIVILEGE**

**REP. HUNSKOR:** Mr. Speaker: I rise on a point of personal privilege.

Repeating in Class B Girls Basketball is a difficult task. The Bottineau Stars Girls Basketball Team can now count themselves among the few who have earned that honor.

The Stars won their second straight title defeating the New Salem Holsteins, 58-30.

With the win, the Stars became the 6th team to win back-to-back Class B Girls Basketball Championships. The Stars are the only team since 1974 to hold three State Championships.

Mike Forsberg has been the head coach for each of the three state championships. Congratulations to Coach Forsberg and Assistant Coaches Mike Baier and Angie Bartholomay.

Mandee Keplin, Bottineau Stars Guard lit up the three day tournament with her pin point shooting and strong defense resulting in her being named the Class B Girls Tournament Most Valuable Player. Mandee, along with teammates Kayla Roemmich and Maribeth Geizler were selected to the All-Tournament Team.

Basketball teams, not individuals win championships and we congratulate each player on the Bottineau Stars Team.

Class B Girls Basketball in North Dakota is alive and well!

#### **POINT OF PERSONAL PRIVILEGE**

**REP. AARSVOLD:** Mr. Speaker: I rise on a point of personal privilege.

Rep. Kaldor and I wish to congratulate the Mayville State University men's basketball team for winning the Dakota Athletic Conference season championship and most recently, capturing the conference tournament.

These successes and high national ranking, currently 13th, seeds them into the NAIA National Tournament in Lake of the Ozarks, Missouri.

This marks the third consecutive invitation to this prestigious national event for the Comets.

Last year saw the Comets eliminated by the eventual national champion in the third round of the tournament.

We wish the Comets and Coach Craig Smith success as they pursue the national NAIA title.

#### **POINT OF PERSONAL PRIVILEGE**

**REP. WALL:** Mr. Speaker: I rise on a point of personal privilege.

On behalf of Rep. Williams and myself, we would like to acknowledge and applaud the efforts of the Wahpeton Huskies wrestling team who on Saturday, February 17th won the North Dakota State Class A individuals wrestling championship. This was the first time in their over 50 year history of having a wrestling program, that the Huskies won the State Championship.

Led by junior and second time state championship Justin Solberg, the Huskies scored 164 points narrowly defeating Bismarck High which recorded 160 points.

Leader, mentor, and Coach Kelly McNary was also named the State's 2007 wrestling coach of the year.

We commend Coach McNary and his team for the determination and dedication which led to the Huskies first place wrestling championship in over half a century.

#### **MOTION**

**REP. MONSON MOVED** that Reengrossed SB 2371, which is on the Sixth order, be rereferred to the **Education Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, Reengrossed SB 2371 was rereferred.

#### **MOTION**

**REP. MONSON MOVED** that after action taken on the Sixth order, SB 2180 be rereferred to the **Appropriations Committee**, which motion prevailed.

#### **SIXTH ORDER OF BUSINESS**

**SPEAKER DELZER DEEMED** approval of the amendments to Engrossed SB 2023, Engrossed SB 2036, SB 2046, Engrossed SB 2053, Engrossed SB 2096, Engrossed SB 2128, Engrossed SB 2180, Engrossed SB 2247, Engrossed SB 2248, as amended, SB 2251, Engrossed SB 2277, Engrossed SB 2288, SB 2323, SB 2329, Reengrossed SB 2333, SCR 4001, and SCR 4016.

SB 2046, Engrossed SB 2288, and SB 2323, as amended, were rereferred to the **Appropriations Committee**.

SCR 4001 and SCR 4016, as amended, were placed on the Tenth order of business on the calendar.

Engrossed SB 2023, Engrossed SB 2036, Engrossed SB 2053, Engrossed SB 2096, Engrossed SB 2128, Engrossed SB 2180, Engrossed SB 2247, SB 2251, Engrossed SB 2277, SB 2329, and Reengrossed SB 2333, as amended, and SB 2248 as further amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### **MOTION**

**REP. MONSON MOVED** that Engrossed SB 2320, which is on the Fourteenth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, Engrossed SB 2320 was rereferred.

#### **SECOND READING OF SENATE BILL**

**SB 2047:** A BILL for an Act to amend and reenact sections 54-52.2-01, 54-52.2-02, and 54-52.2-05 of the North Dakota Century Code, relating to automatic enrollment of employees in the deferred compensation program under the public employees retirement system.

#### **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:** Aarsvold; Berg; Boehning; Boucher; Brandenburg; Carlisle; Charging; Conrad; Dahl; Delmore; Drovda; Ekstrom; Froelich; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Amerman; Bellew; Belter; Carlson; Clark; Damschen; Dietrich; Dosch; Froseth; Kasper; Meier, L.; Ruby; Thoreson; Wald

**ABSENT AND NOT VOTING:** Boe; DeKrey; Metcalf

Engrossed SB 2047, as amended, passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2062:** A BILL for an Act to create and enact a new section to chapter 43-30 of the North Dakota Century Code, relating to proprietary security officers.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe; DeKrey; Metcalf

SB 2062, as amended, passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2241:** A BILL for an Act to amend and reenact subsection 3 of section 12.1-32-07 of the North Dakota Century Code, relating to the conditions of probation.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Bellew; Damschen

**ABSENT AND NOT VOTING:** Boe; DeKrey; Metcalf

Engrossed SB 2241, as amended, passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2264:** A BILL for an Act to amend and reenact section 23-10-13 of the North Dakota Century Code, relating to sale of a mobile home park.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 33 YEAS, 60 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Conrad; Delmore; Ekstrom; Glassheim; Griffin; Gruchalla; Gulleson; Hanson; Hawken; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Myxter; Onstad; Pinkerton; Potter; Price; Schmidt; Schneider; Solberg; Thorpe; Vig; Williams; Wolf; Zaiser

**NAYS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Froelich; Froseth; Grande; Haas; Hatlestad; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Nelson; Nottestad; Owens; Pietsch; Pollert; Porter; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe

Engrossed SB 2264, as amended, lost.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2284:** A BILL for an Act to provide for a legislative council study.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 77 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Berg; Boehning; Boucher; Brandenburg; Carlisle; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Mueller; Myxter; Nelson; Onstad; Owens; Pietsch; Pinkerton; Porter; Potter; Price; Ruby; Schmidt; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wall; Weiler; Weisz; Williams; Wolf; Wrangham

**NAYS:** Belter; Carlson; Charging; Grande; Griffin; Gruchalla; Nottestad; Pollert; Schneider; Skarphol; Vigesaa; Wald; Wieland; Zaiser; Speaker Delzer

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

Engrossed SB 2284, as amended, passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2402:** A BILL for an Act to amend and reenact section 54-35-23 of the North Dakota Century Code, relating to extension of the committee on tribal and state relations; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch;

Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe

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

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2110:** A BILL for an Act to amend and reenact section 34-14-04.1 of the North Dakota Century Code, relating to limitations of withholdings of an employer from compensation due employees.

### ROLL CALL

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

**YEAS:** Boucher; Gulleon

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

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

SB 2110 lost.

\*\*\*\*\*

### MOTION

**REP. MONSON MOVED** that SB 2115, which is on the Fourteenth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, SB 2115 was rereferred.

### SECOND READING OF SENATE BILL

**SB 2123:** A BILL for an Act to amend and reenact sections 65-04-04, 65-04-15, 65-04-17, 65-04-19.1, 65-05-28.1, and 65-06.2-04 of the North Dakota Century Code, relating to an employer's certificate of premium payment, release of confidential information, the maximum experience rating of employers, premium discounts in risk management programs, preferred providers, and roughrider industries; and to provide for application.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby;

Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Thorpe

**ABSENT AND NOT VOTING:** Boe

Engrossed SB 2123 passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2246:** A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to reimbursement of lodging expenses and allowances for meals for state and political subdivision officers and employees.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 41 YEAS, 50 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Boehning; Carlisle; Carlson; Charging; Clark; Conrad; DeKrey; Dietrich; Dosch; Ekstrom; Glassheim; Gruchalla; Hatlestad; Heller; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Klein; Kreidt; Kretschmar; Martinson; Metcalf; Myxter; Nottestad; Owens; Pietsch; Pinkerton; Ruby; Schmidt; Schneider; Skarphol; Sukut; Thoreson; Thorpe; Vig; Vigesaa; Wald; Weiler; Wrangham

**NAYS:** Aarsvold; Amerman; Belter; Boucher; Brandenburg; Dahl; Damschen; Delmore; Drovdal; Froelich; Froseth; Grande; Griffin; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Hofstad; Hunskor; Kaldor; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kroeber; Meier, L.; Meyer, S.; Monson; Mueller; Nelson; Onstad; Pollert; Potter; Price; Solberg; Svedjan; Uglem; Wall; Weisz; Wieland; Williams; Wolf; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Berg; Boe; Porter

SB 2246 lost.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2261:** A BILL for an Act to create and enact a new section to chapter 5-02 of the North Dakota Century Code, relating to costs of investigation, prosecution or defense, and hearing; to amend and reenact section 5-02-10 of the North Dakota Century Code, relating to hearing of violations; and to provide a continuing appropriation.

### ROLL CALL

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

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

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

Engrossed SB 2261 lost.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2286:** A BILL for an Act to amend and reenact sections 40-18-15 and 40-18-15.1 of the North Dakota Century Code, relating to prosecutions in municipal court for violations of city ordinances in home rule cities.

**ROLL CALL**

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

**YEAS:** Glassheim

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Grande; Griffin; Gruchalla; Gulleeson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

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

SB 2286 lost.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2296:** A BILL for an Act to amend and reenact sections 26.1-25-02.1 and 26.1-25-04 of the North Dakota Century Code, relating to the definitions of noncompetitive market, insurance company rate filings, and policy forms.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleeson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** DeKrey; Kaldor; Kroeber; Weisz

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

SB 2296 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2342:** A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to timely processing of workers' compensation claims.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 28 YEAS, 62 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Conrad; Delmore; Ekstrom; Glassheim; Griffin; Gruchalla; Gulleeson; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf;



Meyer, S.; Mueller; Myxter; Potter; Schmidt; Schneider; Skarphol; Solberg; Vig; Wolf; Zaiser

**NAYS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Charging; Clark; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Froseth; Grande; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Price; Ruby; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe; Carlson; Froelich; Onstad

SB 2342 lost.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2364:** A BILL for an Act to create and enact a new section to chapter 47-04 and a new section to chapter 47-04.1 of the North Dakota Century Code, relating to prohibited provisions in restrictive covenants and condominium project bylaws and regulations.

#### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

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

SB 2364 passed and the title was agreed to.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2072:** A BILL for an Act to amend and reenact section 39-01-02, subsection 10 of section 65-05-08, and sections 65-05-19 and 65-05.1-06.1 of the North Dakota Century Code, relating to exceptions to the requirement of the state name display on motor vehicles, dependency allowances, nondependency payments upon death, and rehabilitation awards; and to provide for application.

#### 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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

**NAYS:** Griffin; Meyer, S.; Schmidt; Schneider; Thorpe; Zaiser

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

Reengrossed SB 2072, as amended, passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2109:** A BILL for an Act to create and enact a new section to chapter 23-16 of the North Dakota Century Code, relating to a moratorium exemption; to amend and reenact subsection 1 of section 23-09.3-01.1 and subsection 1 of section 23-16-01.1 of the North Dakota Century Code, relating to the moratorium on licensing of basic care for medical assistance recipient beds and the moratorium on expansion of long-term care bed capacity; to provide for a legislative council study; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemmin; Koppelman; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Boucher; Charging; Froelich; Hanson; Kerzman; Kreidt; Metcalf; Nelson; Schmidt; Solberg; Speaker Delzer

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

Engrossed SB 2109, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2125:** A BILL for an Act to amend and reenact section 43-23.3-01, subsection 1 of section 43-23.3-03, sections 43-23.3-04, 43-23.3-06, 43-23.3-07, 43-23.3-08, and 43-23.3-09, subsection 1 of section 43-23.3-11, sections 43-23.3-13, 43-23.3-14, 43-23.3-15, 43-23.3-16, 43-23.3-17, and 43-23.3-18, subsection 2 of section 43-23.3-22, and section 43-23.3-23 of the North Dakota Century Code, relating to real estate appraisers and the practice of real estate appraisal.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe; Boucher; Onstad

Engrossed SB 2125, as amended, passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2195:** A BILL for an Act to amend and reenact section 51-28-01 of the North Dakota Century Code, relating to telephone solicitations; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe; Boucher; Onstad

SB 2195, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2266:** A BILL for an Act to create and enact sections 51-15-02.1 and 51-15-02.2 of the North Dakota Century Code, relating to an obligation to advertise upon endorsement of a check and to solicitations of payments due; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

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

Engrossed SB 2266, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2274:** A BILL for an Act to amend and reenact sections 32-09.1-07, 32-09.1-09, 32-09.1-14, and 32-09.1-15 of the North Dakota Century Code, relating to garnishment proceedings.

**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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.;

Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

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

SB 2274, as amended, passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2056:** A BILL for an Act to repeal section 43-29-01 of the North Dakota Century Code, relating to the statement of purpose for the licensure of veterinarians.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

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

SB 2056 passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2228:** A BILL for an Act to create and enact a new section to chapter 4-35 of the North Dakota Century Code, relating to notification of alleged pesticide damage; to repeal sections 4-35-21, 4-35-21.1, and 4-35-21.2 of the North Dakota Century Code, relating to reports of loss resulting from pesticide application; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 67 YEAS, 24 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Froseth; Glassheim; Grande; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Monson; Nelson; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Delzer

**NAYS:** Aarsvold; Boucher; Charging; Ekstrom; Froelich; Griffin; Gruchalla; Gulleson; Hunskor; Kelsh, S.; Kerzman; Metcalf; Meyer, S.; Mueller; Myxter; Pinkerton; Potter; Schmidt; Schneider; Solberg; Thorpe; Vig; Wolf; Zaiser

**ABSENT AND NOT VOTING:** Boe; Onstad; Thoreson

Engrossed SB 2228 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2287:** A BILL for an Act to amend and reenact section 15.1-13-25 of the North Dakota Century Code, relating to cause for the suspension or revocation of teaching licenses.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 86 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Carlson; Drovda; Kempenich; Ruby

**ABSENT AND NOT VOTING:** Boe; Ekstrom; Kreidt; Onstad

Engrossed SB 2287 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2348:** A BILL for an Act relating to high school tournament site selections.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 9 YEAS, 82 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Froseth; Nelson; Pinkerton; Price; Ruby; Thorpe; Wrangham

**NAYS:** Aarsvold; Belter; Berg; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Zaiser; Speaker Delzer

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

Engrossed SB 2348 lost.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2388:** A BILL for an Act to amend and reenact section 28 of chapter 167 of the 2005 Session Laws, relating to the contingent distribution of state school aid payments; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson;

Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Herbel

**ABSENT AND NOT VOTING:** Boe; Clark; Onstad

Engrossed SB 2388 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2139:** A BILL for an Act to require the legislative council to study laws relating to agriculture.

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

**YEAS:** Aarsvold; Amerman; Bellew; Berg; Boucher; Carlisle; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Porter; Potter; Price; Ruby; Schmidt; Schneider; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Williams; Wolf; Wrangham

**NAYS:** Belter; Boehning; Brandenburg; Carlson; Grande; Kempenich; Pollert; Skarphol; Wald; Weiler; Weisz; Wieland; Zaiser; Speaker Delzer

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

SB 2139 passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2113:** A BILL for an Act to amend and reenact subsection 9 of section 39-04-05, section 39-19-06, and subsection 3 of section 57-40.3-04 of the North Dakota Century Code, relating to refusing motor vehicle registration, adopting the unified carrier registration plan, and claiming a motor vehicle excise tax exemption; and to declare an emergency.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

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

SB 2113 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2118:** A BILL for an Act to create and enact a new subsection to section 54-59-19 of the North Dakota Century Code, relating to annual reporting requirements of the information technology department; and to amend and reenact section 54-46-11 of the North Dakota Century Code, relating to management of state records.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

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

SB 2118 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2259:** A BILL for an Act to amend and reenact subsections 1, 2, 3, 7, 8, and 9 of section 12.1-32-15 of the North Dakota Century Code relating to registration requirements for sexual offenders and offenders against children.

**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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe; Boucher; Onstad

Engrossed SB 2259 passed and the title was agreed to.

\*\*\*\*\*

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HCR 3032.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1023, HB 1062, HB 1071, HB 1130, HB 1221, HB 1439.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 13, 2007: HB 1023, HB 1062, HB 1071, HB 1130, HB 1221, HB 1439.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2055.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1061, HB 1094, HB 1137, HB 1140, HB 1156, HB 1199, HB 1517.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2038, SB 2044, SB 2048, SB 2052, SB 2354.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2055.

**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 2134.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass: SB 2162.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, the emergency clause failed, unchanged: SB 2101.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed unchanged: SB 2067, SB 2105, SB 2153, SB 2171, SB 2182, SB 2188, SB 2192, SB 2219, SB 2265, SB 2295, SB 2318, SB 2343.

**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 2040.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2135, SB 2176, SB 2196, SB 2204, SB 2252.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass: HB 1259, HCR 3051.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1154, HB 1390, HB 1482, HB 1505.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1154**

Page 1, line 18, after the second underscored boldfaced period insert:

"1."

Page 1, line 21, replace "expired" with "expire"

Page 2, line 2, after the underscored period insert:

"2. The permit fee established by the department must be based on the cost of conducting routine and complaint inspections and enforcement actions and the cost of preparing and sending license renewals. Any fee collected under this section must be deposited in the department's operating fund in the state treasury and any expenditure from the fund is subject to appropriation by the legislative assembly. The department shall waive all or a portion of the permit fee for any tanning facility that is subject to local jurisdiction.

3. The department shall accept city or county enforcement of this chapter if the department determines the city or county requirements meet or exceed the requirements of this chapter and any rules adopted under this chapter."

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1390**

Page 1, line 7, remove "the intentional and unintentional"

Page 1, line 11, remove "the" and remove "of a foster family"

Page 1, line 12, replace "the family's" with "a"



Page 1, line 14, remove "the foster family may have for claimed"

Page 1, line 15, remove "losses"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1482**

Page 1, line 20, remove "at least fifteen days before the offender's admission as"

Page 1, line 21, remove "a resident of a health care facility" and after "provide" insert "prior"

Page 2, remove lines 10 through 12

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1505**

Page 1, after line 24, insert:

"3. The fees established by the department must be based on the cost of conducting routine and complaint inspections and enforcement actions and preparing and sending license renewals. Fees collected under this section must be deposited in the department's operating fund in the state treasury and any expenditure from the fund is subject to appropriation by the legislative assembly. The department shall waive all or a portion of the fee for any facility that is subject to local jurisdiction."

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has passed unchanged: HB 1013, HB 1024, HB 1067, HB 1078, HB 1090, HB 1121, HB 1161, HB 1162, HB 1183, HB 1225, HB 1381, HB 1398, HB 1425, HCR 3007, HCR 3035, HCR 3042.

**MOTION**

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

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, March 14, 2007, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2029, as engrossed and amended: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (20 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2029, as amended, was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2141, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2141 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2178, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2178 was placed on the Sixth order on the calendar.

Page 1, line 2, after "revenues" insert "; to provide for application"

Page 1, line 3, remove "and" and after "date" insert "; and to provide an expiration date"

Page 1, line 21, replace "eight" with "four"

Page 2, line 3, remove "sixty percent"

Page 2, line 4, remove ", ten percent to school districts within the county on the"

Page 2, remove line 5

Page 2, line 6, remove "the county based upon population"

Page 2, line 9, replace "nine" with "five"

Page 2, line 16, remove "sixty percent" and remove ", ten percent to"

Page 2, remove line 17

Page 2, line 18, remove "and thirty percent to incorporated cities of the county based upon population"

Page 2, line 21, replace "nine" with "five"

Page 2, line 27, remove "sixty percent" and remove the underscored comma

Page 2, remove lines 28 and 29

Page 2, line 30, remove "population"

Page 4, after line 21, insert:

**"SECTION 2. APPLICATION.** Notwithstanding the provisions of section 57-51.1-07.2, the director of the budget may not consider the enactment of this Act to be an amendment of the distribution formula under chapter 57-51 and the director of the budget may not adjust the seventy-one million dollar amount under section 57-51.1-07.2 due to enactment of this Act."

Page 4, line 22, after "**DATE**" insert "**- EXPIRATION DATE**"

Page 4, line 23, after "2007" insert ", and before July 1, 2009, and is thereafter ineffective"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2202: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2202 was placed on the Sixth order on the calendar.

Page 2, line 2, remove "property"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2225, as reengrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2225 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "pull"

Page 1, line 5, remove "tabs and"

Page 1, line 19, remove the overstrike over "~~four and~~"

Page 1, line 20, remove the overstrike over "~~one-half~~", remove "three", and after "and" insert "three percent on the gross proceeds from the sale at retail of"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2255, as engrossed and amended: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2255, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 879 of the House Journal, Engrossed Senate Bill No. 2255 is amended as follows:

Page 4, line 4, replace "right of action" with "claim for relief"

Page 4, line 9, replace "right of action" with "claim for relief for a violation of this section"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2260: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SB 2260 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "a new subsection to section 43-28-06,"

Page 1, line 5, after the third comma insert "15.1-06-06,"

Page 1, line 8, after the semicolon insert "to provide an appropriation; to provide an effective date;"

Page 5, line 19, overstrike "employees assigned duties related to"

Page 5, line 20, overstrike "bioterrorism and homeland security issues" and insert immediately thereafter "each applicant for or employee in a specified occupation with the department"

Page 5, line 21, overstrike "a nurse aide seeking to have a finding of neglect removed from the"

Page 5, line 22, overstrike "nurse aide registry; or" and overstrike "state"

Page 5, line 23, overstrike "of health who holds a license, certificate, or registration in a"

Page 5, line 24, overstrike "health-related field" and insert immediately thereafter "; or, when requested by the department, an applicant for registration, certification, or licensure by the department"

Page 5, line 25, remove "The state board of dental examiners for initial and credential application for a"

Page 5, remove lines 26 through 28

Page 5, line 29, remove "p."

Page 6, line 1, replace "q." with "p."

Page 6, line 5, replace "r." with "q."

Page 6, line 8, replace "s." with "r."

Page 6, line 11, replace "t." with "s."

Page 6, line 15, replace "u." with "t."

Page 6, line 17, replace "v." with "u."

Page 6, line 22, replace "w." with "v."

Page 6, line 30, replace "x." with "w."

Page 7, line 3, replace "y." with "x.", after "The" insert "governing", after "a" insert "public", replace "district" with "or, for a nonpublic school, the department of public instruction,", and replace "or individuals seeking" with "designated by the governing board or nonpublic school. The governing board or the nonpublic school is"

Page 7, remove lines 4 through 7

Page 7, line 8, remove "individuals must be" and remove the second "for"

Page 7, after line 9, insert:

"y. The governing board of a public school or, for a nonpublic school, the department of public instruction, for individuals seeking employment with the school, or individuals otherwise providing services to the school, if those individuals have unsupervised contact with the students. For purposes of this subdivision, "unsupervised contact" with students means being in proximity to one or more students, on school grounds or at school functions, outside the presence of an individual who has been subject to a criminal background check. The governing board or the nonpublic school is responsible for paying the costs associated with obtaining a background check."

Page 7, after line 13, insert:

**"SECTION 5. AMENDMENT.** Section 15.1-06-06 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-06-06. Approval of public and nonpublic schools.** Each public and nonpublic school in this state offering elementary or secondary education to students must be approved by the superintendent of public instruction. Except as otherwise provided by law, the superintendent may not approve a school unless:

1. Each classroom teacher is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Each classroom teacher is teaching only in those course areas or fields for which the teacher is licensed or for which the teacher has received an exception under section 15.1-09-57;
3. The students are offered all subjects required by law; ~~and~~
4. The school is in compliance with all local and state health, fire, and safety laws; and
5. The school has conducted all criminal history record checks required by section 12-60-24."

Page 11, remove lines 1 through 13

Page 19, after line 4, insert:

**"SECTION 21. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$158,138, or so much of the funds as may be necessary, to the attorney general for the purpose of conducting state and nationwide criminal history record checks on behalf of the state department of health pursuant to section 12-60-24. The attorney general may hire an additional full-time equivalent position under this section.

**SECTION 22. EFFECTIVE DATE.** Section 21 of this Act becomes effective on the date the state health officer certifies to the secretary of state, the attorney general, and the legislative council that the federal government requires criminal history record checks on applicants for employment at long-term care facilities or providers who have access to patients."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2262, as engrossed and amended: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2262, as amended, was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the House as printed on page 849 of the House Journal, Engrossed Senate Bill No. 2262 is further amended as follows:

Page 2, line 19, after "state" insert "before any harm to others or damage to property occurs"

**REPORT OF STANDING COMMITTEE**

**SB 2298: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2298 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2350, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2350 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2357, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2357 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2375, as engrossed: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2375 was placed on the Sixth order on the calendar.

Page 1, line 6, after "hearings" insert "; and to provide for transition"

Page 7, after line 11, insert:

"7. An administrative law judge assigned by the director of the office of administrative hearings to conduct a hearing under this section shall maintain and secure all related documents and evidence to maintain the privacy of records that have been affirmed which contain personal information."

Page 7, line 14, overstrike "person whose commercial driver's license or"

Page 7, line 15, overstrike "privilege has been suspended, revoked, or denied by" and immediately thereafter "party adversely affected by"

Page 14, line 12, after "5." insert "At a hearing under this section, the administrative law judge may introduce records, conduct examinations, and present evidence relating to the issues to be determined at the hearing. The department may be represented by legal counsel at any hearing under this section."

6."

Page 15, line 4, overstrike "6." and insert immediately thereafter "7."

Page 15, line 20, overstrike "person whose operator's license or privilege has been"

Page 15, line 21, overstrike "suspended, revoked, or denied by" and insert immediately thereafter "party adversely affected by"

Page 16, after line 27, insert:

**"SECTION 14. TRANSITION.** All full-time department of transportation hearing officer employees who currently conduct hearings for the department of transportation are transferred to and become employees of the office of administrative hearings."

Renumber accordingly

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

**Buell J. Reich, Chief Clerk**

