

JOURNAL OF THE HOUSE

Sixty-first Legislative Assembly

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Bismarck, April 1, 2009

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

The prayer was offered by Pastor Rebecca Aardahl, Heart River Lutheran Church, Mandan.

The roll was called and all members were present except Representatives Boehning, Ekstrom, Froelich, Grande, Kaldor, Myxter, Thoreson, and Thorpe.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Delzer, Chairman)** has carefully examined the Journal of the 53rd Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1057, delete lines 50 through 52

Page 1058, delete lines 2 through 4 and insert:

"FIRST READING OF HOUSE BILL

Reps. Keiser, Carlson, Boucher, Kasper, Monson, Onstad introduced:
(Approved by the Delayed Bills Committee)

HB 1577: A BILL for an Act to provide for a legislative council study of factors impacting the cost of health insurance and health insurance company reserves.

Was read the first time and referred to the **Industry, Business and Labor Committee.**"

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

SIXTH ORDER OF BUSINESS

SPEAKER MONSON DEEMED approval of the amendments to SB 2394.

SB 2394, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. VIGESAA MOVED that SB 2237 be returned to the House floor from the **Appropriations Committee** and be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, SB 2237 was rereferred.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to HB 1063 as printed on HJ page 888, which motion prevailed on a voice vote.

HB 1063, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1063: A BILL for an Act to amend and reenact section 65-05-29 of the North Dakota Century Code, relating to workers' compensation coverage for preexisting conditions; 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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsovog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; 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; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert;

Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thorpe

HB 1063 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1100 as printed on HJ page 805, which motion prevailed on a voice vote.

Engrossed HB 1100, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1100: A BILL for an Act to create and enact a new subdivision to subsection 17 of section 10-04-06 of the North Dakota Century Code, relating to the sale of securities; and to amend and reenact subdivision m of subsection 9 of section 10-04-02, subsections 4, 5, 11, and 13 of section 10-04-06, subsection 2 of section 10-04-08, and subsection 2 of section 10-04-08.4 of the North Dakota Century Code, relating to the definition of institutional investor, securities transactions exempt from registration, securities registration filing fees, and electronic filing.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovda; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; 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; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thorpe

Engrossed HB 1100, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to HB 1124 as printed on HJ page 806, which motion prevailed on a voice vote.

HB 1124, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1124: A BILL for an Act to create and enact a new chapter to title 18 of the North Dakota Century Code, relating to approval of a compact with other states to promote effective prevention and control of forest fires.

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 83 YEAS, 6 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Mock; Mueller; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz;

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

NAYS: Delzer; Drovdal; Keiser; Kelsch, R.; Kempenich; Meyer, S.

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thorpe

HB 1124 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1125 as printed on HJ page 851, which motion prevailed on a voice vote.

Engrossed HB 1125, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1125: A BILL for an Act to amend and reenact section 4-01-17.1 of the North Dakota Century Code, relating to control of predatory animals, destructive birds, and injurious field rodents.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Boe; Ekstrom; Froelich; Kaldor; Myxter; Thorpe

Engrossed HB 1125, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to HB 1155 as printed on HJ page 851, which motion prevailed on a voice vote.

HB 1155, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1155: A BILL for an Act to amend and reenact section 6-03-06 of the North Dakota Century Code, relating to the sale of real estate loans; 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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thorpe

HB 1155 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RUBY MOVED that the House do concur in the Senate amendments to Reengrossed HB 1219 as printed on HJ page 1004, which motion prevailed on a voice vote.

Reengrossed HB 1219, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1219: A BILL for an Act to amend and reenact section 39-20-01.1 of the North Dakota Century Code, relating to the chemical test of a driver in an accident.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 64 YEAS, 25 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boucher; Brandenburg; Clark; Conklin; Conrad; Damschen; DeKrey; Delmore; Frantsvog; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Mock; Mueller; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Potter; Ruby; Schmidt; Schneider; Sukut; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Speaker Monson

NAYS: Bellew; Belter; Berg; Boehning; Carlson; Dahl; Delzer; Dosch; Drovdal; Grande; Headland; Kasper; Kelsch, R.; Kempenich; Meyer, S.; Pollert; Porter; Rust; Schatz; Skarphol; Svedjan; Thoreson; Weiler; Wrangham; Zaiser

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thorpe

Reengrossed HB 1219, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1229 as printed on HJ page 940, which motion prevailed on a voice vote.

Engrossed HB 1229, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1229: A BILL for an Act to create and enact a new chapter to title 35 of the North Dakota Century Code, relating to a lien on property stored in a portable storage unit.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Kelsh, S.; Myxter; Thorpe

Engrossed HB 1229, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1298 as printed on HJ page 852, which motion prevailed on a voice vote.

Engrossed HB 1298, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1298: A BILL for an Act to create and enact subsection 4 to section 10-19.1-124, subsection 4 to section 10-32-128, subsection 4 to section 10-33-115, chapter 10-36, and a new subsection to section 45-11-08.2 of the North Dakota Century Code, relating to limited liability companies, nonprofit corporations, nonprofit limited liability companies, and partnership fictitious names; to amend and reenact subsection 2 of section 10-01.1-03, section 10-01.1-06, subsection 3 of section 10-15-36, subsection 5 of section 10-15-38, sections 10-15-52.3, 10-19.1-01, 10-19.1-10, and 10-19.1-23, subsection 1 of section 10-19.1-43, section 10-19.1-46, subsection 1 of section 10-19.1-48, subsection 2 of section 10-19.1-51, subsection 1 of section 10-19.1-75, section 10-19.1-76.2, subsection 6 of section 10-19.1-87, subsection 1 of section 10-19.1-91, subsection 3 of section 10-19.1-104.4, sections 10-19.1-105 and 10-19.1-107, subsection 2 of section 10-19.1-137, section 10-19.1-146, subsection 26 of section 10-19.1-147, subsection 5 of section 10-19.1-148, sections 10-32-02, 10-32-04, and 10-32-06, subsection 1 of section 10-32-10, sections 10-32-18 and 10-32-20, subsection 2 of section 10-32-43, section 10-32-48, subsection 1 of section 10-32-80, subsection 1 of section 10-32-85, subsection 2 of section 10-32-87, subsection 1 of section 10-32-99, subsection 4 of section 10-32-107, subsection 3 of section 10-32-108.4, subsection 1 of section 10-32-109, sections 10-32-110 and 10-32-111, subsection 3 of section 10-32-140, subsection 3 of section 10-32-149, section 10-32-150, subsection 5 of section 10-32-152, sections 10-33-01 and 10-33-18, subsection 1 of section 10-33-39, subsection 1 of section 10-33-44, subsection 2 of section 10-33-46, subsection 1 of section 10-33-84, section 10-33-130, subsection 3 of section 10-33-139, subsection 2 of section 10-33-140, subsection 5 of section 10-33-141, section 38-08.1-03, subsections 27 and 28 of section 45-10.2-02, section 45-10.2-21, subsection 8 of section 45-10.2-24, subsection 3 of section 45-10.2-41, section 45-10.2-64, subsection 2 of section 45-10.2-81, subsection 3 of section 45-10.2-97, subsection 26 of section 45-10.2-109, subsection 5 of section 45-10.2-111, subsections 17 and 18 of section 45-13-01, subsections 15 and 16 of section 45-22-01, subsection 3 of section 45-22-03, subsection 2 of section 45-22-22, subsection 5 of section 45-22-23, subsections 18 and 19 of section 45-23-01, and subsection 26 of section 45-23-08 of the North Dakota Century Code, relating to commercial registered agent listing, cooperative associations, business corporations, limited liability companies, nonprofit corporations, geophysical exploration companies, limited partnerships, general partnerships, limited liability partnerships, and limited liability limited partnerships; 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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thorpe

Engrossed HB 1298, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1303 as printed on HJ page 889, which motion prevailed on a voice vote.

Engrossed HB 1303, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1303: A BILL for an Act to amend and reenact section 50-24.4-06 of the North Dakota Century Code, relating to factors considered in determining nursing home rates.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; 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; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thorpe

Engrossed HB 1303, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to HB 1378 as printed on HJ page 890, which motion prevailed on a voice vote.

HB 1378, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1378: A BILL for an Act to amend and reenact sections 15.1-06-01 and 15.1-22-02 of the North Dakota Century Code, relating to the age of admission to schools; 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 79 YEAS, 10 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Damschen; Delzer; Headland; Kasper; Klemin; Koppelman; Pinkerton; Thoreson; Wieland; Wrangham

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thorpe

HB 1378 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2232: A BILL for an Act to create and enact sections 28-21-03.1 and 28-21-04.2 of the North Dakota Century Code, relating to general and summary execution of judgment; and to amend and reenact sections 28-21-01, 28-21-03, 28-21-04, 28-21-04.1, 28-21-05, 28-21-05.1, 28-21-06, 28-21-07, 28-21-08, 28-21-09, 28-21-10, 28-21-13,

28-21-17, 28-21-18, and 28-23-11 of the North Dakota Century Code, relating to execution of judgment.

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 83 YEAS, 3 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

NAYS: Kasper; Meyer, S.; Wrangham

ABSENT AND NOT VOTING: Boehning; Ekstrom; Froelich; Grande; Kaldor; Myxter; Thoreson; Thorpe

Engrossed SB 2232, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2204: A BILL for an Act to amend and reenact sections 18-05-01, 18-05-04, 18-05-05, 18-05-06, 18-05-07, 18-05-09, 18-05-10, 18-05-12, and 18-05-13 of the North Dakota Century Code, relating to rural fire department firefighters relief associations.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 10 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Berg; Boe; Boucher; Brandenburg; Carlson; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser

NAYS: Bellew; Belter; Clark; Delzer; Kasper; Keiser; Klemin; Skarphol; Weisz; Speaker Monson

ABSENT AND NOT VOTING: Boehning; Ekstrom; Froelich; Grande; Kaldor; Myxter; Thoreson; Thorpe

SB 2204 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2125: A BILL for an Act to amend and reenact subsection 21 of section 4-09-01, subsection 1 of section 4-09-02, subsection 2 of section 4-09-03, and sections 4-09-13, 4-09-17.1, 4-09-25, and 4-11-21 of the North Dakota Century Code, relating to the seed department's revolving fund and to the functions and responsibilities of the seed commission and the seed department.

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, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; 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; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Boehning; Ekstrom; Froelich; Grande; Kaldor; Myxter; Thoreson; Thorpe

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

SECOND READING OF SENATE BILL

SB 2165: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to provisional hunting licenses; and to amend and reenact section 20.1-03-01.1 and subsection 1 of section 20.1-03-11 of the North Dakota Century Code, relating to hunting licenses and requirements.

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, 6 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

NAYS: Drovdal; Heller; Kempenich; Koppelman; Schatz; Wall

ABSENT AND NOT VOTING: Boehning; Ekstrom; Froelich; Grande; Kaldor; Myxter; Thoreson; Thorpe

Engrossed SB 2165, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2191: A BILL for an Act to amend and reenact subsection 23 of section 40-05-02 of the North Dakota Century Code, relating to a city lien on unfit property.

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 50 YEAS, 36 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Boucher; Brandenburg; Conklin; Conrad; Dahl; DeKrey; Delmore; Frantsvog; Glassheim; Griffin; Gruchalla; Hanson; Hawken; Holman; Hunskor; Johnson, N.; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Schmidt; Schneider; Uglem; Vig; Williams; Winrich; Wolf; Zaiser

NAYS: Bellew; Belter; Berg; Boe; Carlson; Clark; Damschen; Delzer; Dosch; Drovdal; Froseth; Hatlestad; Headland; Heller; Hofstad; Johnson, D.; Kasper; Kempenich; Koppelman; Kreidt; Nathe; Pollert; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Monson

ABSENT AND NOT VOTING: Boehning; Ekstrom; Froelich; Grande; Kaldor; Myxter; Thoreson; Thorpe

SB 2191, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2243: A BILL for an Act to authorize counties to accept certain payments by credit card, wire transfer, electronic transfer, or debit card.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 1 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; 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; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Kasper

ABSENT AND NOT VOTING: Boehning; Boucher; Ekstrom; Froelich; Grande; Kaldor; Myxter; Thoreson; Thorpe

SB 2243, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2251: A BILL for an Act to amend and reenact section 61-16-08 of the North Dakota Century Code, relating to compensation for water resource district managers.

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, 1 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; 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; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Conklin

ABSENT AND NOT VOTING: Ekstrom; Froelich; Grande; Kaldor; Myxter; Thoreson; Thorpe

SB 2251, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2359: A BILL for an Act to amend and reenact sections 11-11-05, 11-28-01, 11-28-02, 11-28-03, and 11-28-04 of the North Dakota Century Code, relating to the time and place of county commission meetings and the board of county park commissioners; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 1 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; 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; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Delzer

ABSENT AND NOT VOTING: Boucher; Ekstrom; Froelich; Kaldor; Myxter; Thoreson; Thorpe

Engrossed SB 2359, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2401: A BILL for an Act to provide for a legislative council study relating to requirements for plans and specifications and bids for public improvements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 2 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; 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; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Belter; Rust

ABSENT AND NOT VOTING: Boucher; Ekstrom; Froelich; Kaldor; Myxter; Thoreson; Thorpe

Engrossed SB 2401, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2040: A BILL for an Act to create and enact two new subsections to section 57-39.2-01 and a new section to chapter 57-39.2 of the North Dakota Century Code, relating to the definition of telecommunications company and telecommunications service and to a sales and use tax exemption for equipment used in telecommunications infrastructure development; and to provide an expiration date.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; 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; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thoreson; Thorpe

Engrossed SB 2040, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2123: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to allowing the department of human services to require criminal history record checks in certain circumstances; and to amend and reenact subdivision g of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks conducted by the bureau of criminal investigation.

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 10 YEAS, 77 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Boucher; Conrad; Delmore; Hawken; Johnson, N.; Kilichowski; Mueller; Nottestad; Potter; Wolf

NAYS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Nathe; Nelson; Onstad; Pietsch; Pinkerton; Pollert; Porter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thoreson; Thorpe; Wieland

Engrossed SB 2123 lost.

SECOND READING OF SENATE BILL

SB 2344: A BILL for an Act to create and enact two new sections to chapter 23-12 of the North Dakota Century Code, relating to breastfeeding; and to amend and reenact section 12.1-20-12.1 of the North Dakota Century Code, relating to exempting the act of breastfeeding from the offense of indecent exposure.

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; 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.; Mueller; Nathe; Nelson; Nottestad; Onstad; Pinkerton; Pollert; Porter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Griffin; Mock; Pietsch; Potter; Winrich

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thoreson; Thorpe; Wieland

Engrossed SB 2344 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2403: A BILL for an Act to create and enact a new section to chapter 23-34 of the North Dakota Century Code, relating to the admissibility of peer review reports; and to amend and reenact sections 23-34-01, 23-34-02, 23-34-03, 23-34-04, and 23-34-06 of the North Dakota Century Code, relating to peer review records and reports.

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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thoreson; Thorpe; Vigasaa

Engrossed SB 2403 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2423: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to audits and reimbursements of private providers for individuals with developmental disabilities; and to provide for a report to the legislative assembly.

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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Skarphol; Thoreson; Thorpe

Engrossed SB 2423 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2070: A BILL for an Act to create and enact a new section to chapter 39-01 of the North Dakota Century Code, relating to smoking in vehicles; to amend and reenact subsection 1 of section 39-06.1-06 and section 39-06.1-08 of the North Dakota Century Code, relating to statutory fees for nonmoving violations; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 31 YEAS, 58 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Boe; Boucher; Clark; Conrad; Froseth; Glassheim; Gruchalla; Hatlestad; Holman; Hunskor; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kingsbury; Klemin; Meier, L.; Metcalf; Mock; Mueller; Nottestad; Pietsch; Pinkerton; Schneider; Sukut; Uglem; Wieland; Williams; Winrich; Wolf; Zaiser

NAYS: Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Grande; Griffin; Hanson; Hawken; Headland; Heller; Hofstad; Johnson, D.; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kilichowski; Klein; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meyer, S.; Nathe; Nelson; Onstad; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Skarphol; Svedjan; Thoreson; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wrangham; Speaker Monson

ABSENT AND NOT VOTING: Ekstrom; Froelich; Kaldor; Myxter; Thorpe

SB 2070 lost.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1069, HB 1070, HB 1123, HB 1126, HB 1196, HB 1244, HB 1271, HB 1362, HB 1403, HCR 3003, HCR 3017, HCR 3026, HCR 3028, HCR 3041, HCR 3042, HCR 3061.

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

MR. PRESIDENT: The House has passed unchanged: SB 2204, SB 2344, SB 2403, SB 2423.

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

MR. PRESIDENT: The House has failed to pass unchanged: SB 2070, SB 2123.

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 2359.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2040, SB 2125, SB 2165, SB 2191, SB 2232, SB 2243, SB 2251, SB 2401.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2052, SB 2085, SB 2139, SB 2160, SB 2366, SCR 4001, SCR 4002, SCR 4003, SCR 4006, SCR 4009, SCR 4019, SCR 4022, SCR 4026, SCR 4028.

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

MR. SPEAKER: The President has signed: HB 1069, HB 1070, HB 1123, HB 1126, HB 1196, HB 1244, HB 1271, HB 1362, HB 1403, HCR 3003, HCR 3017, HCR 3026, HCR 3028, HCR 3041, HCR 3042, HCR 3061.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1235, HB 1308, HB 1433.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1235

Page 1, line 3, after the semicolon insert "to provide an expiration date;"

Page 1, line 15, after the period insert "The rate reduction under this subsection becomes effective on the first day of the month following a month for which the average price of a barrel of crude oil is less than fifty-five dollars. The rate reduction under this subsection becomes ineffective on the first day of the month following a month in which the average price of a barrel of crude oil exceeds seventy dollars. If the rate reduction under this subsection is effective on the date of completion of a well, the rate reduction applies to production from that well for up to eighteen months after completion, subject to the other limitations of this subsection. If the rate reduction under this subsection is ineffective on the date of completion of a well, the rate reduction under this subsection does not apply to production from that well at any time."

Page 1, line 16, after "DATE" insert "- EXPIRATION DATE"

Page 1, line 17, after the period insert "However, if on May 1, 2009, the exemptions under subsection 3 of section 57-51.1-03 have been reinstated, this Act does not become effective until the first day of the month when the exemptions under subsection 3 of section 57-51.1-03 become ineffective, by operation of the trigger price provision in subsection 3 of section 57-51.1-03. This Act is effective for taxable events occurring through June 30, 2012, and is thereafter ineffective."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1308

Page 1, line 7, after "request" insert "by mail"

Page 1, line 9, after "~~three~~" insert "two", remove the overstrike over "~~business days~~", and remove "fifteen minutes"

Page 1, line 10, remove "one of the following circumstances applies:"

Page 1, line 11, replace "(1) The" with "the"

Page 1, line 13, replace "; or" with "."

- b. A consumer reporting agency that receives a request by telephone or through a secure electronic connection from a consumer to temporarily lift a freeze on a consumer credit file under this section shall comply with the request no later than fifteen minutes after receiving the request unless the consumer fails to provide proper identification and the unique personal identification number or password provided by the credit reporting agency under section 51-33-03 or the

Page 1, line 14, remove "(2) The"

Page 1, line 16, replace "(a)" with "(1)"

Page 1, line 18, replace "(b)" with "(2)"

Page 1, line 21, replace "(c)" with "(3)"

Page 2, line 1, replace "(d)" with "(4)"

Page 2, line 3, replace "(e)" with "(5)"

Page 2, line 5, replace "(f)" with "(6)"

Page 2, line 8, replace "b." with "c."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1433

Page 1, line 2, after the third semicolon insert "to provide an effective date; to provide an expiration date;"

Page 1, line 18, after "that" insert "has a capacity of fewer than thirty-one licensed beds, was not previously a hospital with critical access designation after May 31, 2009, and"

Page 2, after line 10, insert:

- "d. The matching funds for the special care rate must be from municipal or county funds."

Page 2, line 11, after "appropriated" insert "out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$28,761, or so much of the sum as may be necessary, and"

Page 2, after line 20, insert:

"SECTION 4. CONTINGENT EFFECTIVE DATE. This Act is contingent on the state department of health certifying to the legislative council, before April 16, 2009, that Richardton memorial hospital has notified the state department of health that the hospital is releasing the hospital's critical access designation.

SECTION 5. EXPIRATION DATE. Section 1 of this Act is effective through June 30, 2011, and after that date is ineffective."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1464.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)
MR. SPEAKER: The Senate has failed to pass unchanged: HB 1222, HB 1241, HCR 3043.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1266, HB 1301, HB 1360, HB 1514, HCR 3014, HCR 3021, HCR 3045, HCR 3048.

SENATE AMENDMENTS TO HOUSE BILL NO. 1266

Page 1, line 18, after "Providing" insert "child care facilities or"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1301

Page 1, line 4, after "sections" insert "11-18-02.2,"

Page 1, after line 8, insert:

"SECTION 1. AMENDMENT. Section 11-18-02.2 of the North Dakota Century Code is amended and reenacted as follows:

11-18-02.2. Statements of full consideration to be filed with state board of equalization or recorder - Procedure - Secrecy of information - Penalty.

1. Any grantee or grantee's authorized agent who presents a deed in the office of the county recorder shall certify on the face of the deed any one of the following:
 - a. A statement that the grantee has filed a report of the full consideration paid for the property conveyed with the state board of equalization.
 - b. A statement that the grantee has filed a report of the full consideration paid for the property conveyed with the recorder.
 - c. A statement of the full consideration paid for the property conveyed.
 - d. A statement designating one of the exemptions in subsection 6 7 which the grantee believes applies to the transaction.
2. Any party who presents an affidavit of affixation to real property of a manufactured home in the office of the county recorder in accordance with section 47-10-26 and who acquired the manufactured home before the affixation of the manufactured home to the real property shall either contain in or present in addition to the affidavit of affixation any one of the following:
 - a. A statement that the party has filed with the state board of equalization a report of the full consideration paid for the manufactured home before the affixation.
 - b. A statement that the party has filed with the recorder a report of the full consideration paid for the manufactured home before the affixation.
 - c. A statement of the full consideration paid by the party for the manufactured home before the affixation.
3. The recorder ~~shall~~ may not record any deed unless ~~the deed~~ the deed contains one of the statements required by subsection 1 or record any affidavit of affixation unless the affidavit contains or is accompanied by one of the statements required by subsection 2.

3. ~~4.~~ The recorder shall accumulate and at least monthly forward to the state board of equalization a report containing the information filed in the recorder's office pursuant to subsection 1 or 2.
4. ~~5.~~ The state board of equalization shall prescribe the necessary forms for the statements and reports to be used in carrying out ~~the purposes of~~ this section, and the forms ~~will~~ must contain a space for the explanation of special circumstances ~~which~~ that may have contributed to the amount of the consideration.
5. ~~6.~~ For purposes of ~~this section~~ subsection 1, the word "deed" means an instrument or writing whereby any real property or interest therein ~~shall be~~ is granted, conveyed, or otherwise transferred to the grantee, purchaser, or other person, except any instrument or writing ~~which~~ that transfers any ownership in minerals or interests in minerals underlying land if that ownership has been severed from the ownership of the overlying land surface or any instrument or writing for the easement, lease, or rental of real property or any interest therein.
6. ~~7.~~ ~~The provisions of this~~ This section ~~do~~ does not apply to deeds transferring title to the following types of property, or to deeds relating to the following transactions:
- a. Property owned or used by public utilities.
 - b. Property classified as personal property.
 - c. A sale when the grantor and the grantee are of the same family or corporate affiliate, if known.
 - d. A sale ~~which~~ that resulted as a settlement of an estate.
 - e. All sales to or from a government or governmental agency.
 - f. All forced sales, mortgage foreclosures, and tax sales.
 - g. All sales to or from religious, charitable, or nonprofit organizations.
 - h. All sales when there is an indicated change of use by the new owners.
 - i. All transfer of ownership of property for which is given a quitclaim deed.
 - j. Sales of property not assessable by law.
 - k. Agricultural lands of less than eighty acres [32.37 hectares].
 - l. A transfer that is pursuant to a judgment.
7. ~~8.~~ The state board of equalization shall guard the secrecy of information contained on statements filed with the board ~~pursuant to~~ under subsection 1 or 2, and any information contained on statements and any information provided by local officials ~~shall~~ must be limited to ~~such~~ data as is necessary to perform ~~their~~ official duties and ~~shall~~ may not include the names of any grantors or grantees to deeds or of any parties to affidavits of affixation. Any reports made available to the public must be made in a manner that will not reveal the names of any grantors ~~or~~ grantees, or parties. The recorder shall guard the secrecy of information contained on reports filed in the recorder's office ~~pursuant to~~ under subdivision b of subsection 1 or subdivision b of subsection 2.
8. ~~9.~~ Any person ~~who~~ that, in the statements provided for in subsection 1 or 2, willfully falsifies the consideration paid for the transferred real property or the manufactured home, as applicable, or interest therein or ~~who~~ that falsely certifies that the person has filed a report of full consideration with the state board of equalization is guilty of a class B misdemeanor."

Page 9, line 28, replace "may" with "must"

Page 10, line 2, replace "must be" with "are"

Page 11, line 24, replace "may" with "must"

Page 11, line 29, replace "must be" with "are"

Page 13, line 29, replace "may" with "must"

Page 14, line 3, replace "must be" with "are"

Page 15, line 9, replace "executes" with "shall execute"

Page 15, line 10, replace "records" with "record"

Page 15, line 15, replace "files" with "shall file"

Page 18, line 12, remove "and"

Page 18, line 13, after "(8)" insert "If the party executing the affidavit acquired the manufactured home before the affixation of the manufactured home to the real property, that party shall complete one of the statements required by subsection 2 of section 11-18-02.2; and

(9)"

Page 19, line 24, replace "may" with "must"

Page 20, line 1, replace "affect" with "effect" and replace "transfer of an interest" with "encumbrance"

Page 20, line 2, replace "transfer" with "conveyance"

ReNUMBER accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1360

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act relating to a legislative council study of the rights of regional education association employees."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL STUDY - RIGHTS OF REGIONAL EDUCATION ASSOCIATION EMPLOYEES. During the 2009-10 interim, the legislative council shall study whether the rights accorded to an individual employed by a regional education association should be the same as the rights accorded to an individual employed by the board of a school district for the same purpose. The study must define or otherwise delineate the specific "rights" to be accorded to ensure a clear and uniform interpretation of any statutory or regulatory duties and obligations. The study must address criminal history background checks, access to loan forgiveness programs, participation in the public employees retirement system or the teachers' fund for retirement, the observance of certain holidays, obligations for professional development, conflicts of interest, bonding, open records exceptions, signing bonuses, bidding procedures for employee group health plans, employment contracting and dismissal of administrators and teachers, evaluations, suspensions, proceedings governing a discharge for cause, presentation of teaching licenses, grounds for revocation of a teaching license, negotiations and conflicts of interest in representation, impasse procedures, the accumulation of sick leave, personnel files, eligibility for national board certification scholarships, policy requirements governing contagious diseases, and obligations under the workforce safety and insurance provisions, as well as any other rights found to be applicable to employees of school districts. 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

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1514

Page 2, line 22, remove "trust"

ReNUMBER accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE CONCURRENT
RESOLUTION NO. 3014**

Page 2, line 15, after the comma insert "the chairman of the Committee on Transportation and Infrastructure of the United States House of Representatives,"

Re-number accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3021

Page 1, replace line 15 with:

"WHEREAS, the North Dakota Game and Fish Department has submitted its prairie dog management plan to the United States Fish and Wildlife Service and restated the department's belief that this state's black-tailed prairie dog, *Cynomys ludovicianus*, population is biologically viable; and"

Page 1, remove line 16

Re-number accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3045

Page 1, line 2, after "rights" insert "and methods to reduce the discount for oil produced in North Dakota"

Page 1, line 13, after the semicolon insert "and"

"WHEREAS, North Dakota produces a very high grade of crude oil but the sales price of that oil is substantially discounted for several reasons, including the cost of transporting the oil to the point of sale, and an examination of the feasibility and desirability of state assistance or incentives to reduce the discount should be undertaken;"

Page 1, line 16, after "rights" insert "and methods to reduce the discount for oil produced in North Dakota"

Re-number accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE
CONCURRENT RESOLUTION NO. 3048**

Page 1, line 2, after "buyers" insert ", including ethanol plants and grain processors" and after the semicolon insert "and"

Page 1, line 3, replace "production" with "sale, purchase" and replace "; and" with ", including"

Page 1, line 9, replace "an elevator" with "a facility"

Page 1, after line 12, insert:

"WHEREAS, defaults by producers or purchasers beyond the local elevator can have adverse consequences for local elevators; and"

Page 1, line 20, replace "; and" with "for sellers and buyers;"

Page 1, remove lines 21 through 23

Page 2, line 2, after "buyers" insert ", including ethanol plants and grain processors"

Page 2, line 3, replace "production" with "sale, purchase" and replace "; and" with ", including"

Re-number accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1161, HCR 3005, HCR 3006, HCR 3016, HCR 3022, HCR 3027.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2124, SB 2291, SB 2399, SB 2420, SB 2429.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)
MR. SPEAKER: The President has signed: HB 1037, HB 1091, HB 1344, HB 1365, HCR 3044.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1021.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1021

Page 1, line 2, remove the second "and"

Page 1, line 3, after "insurance" insert "; and to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to providing a continuing appropriation for litigation expenses relating to employer and medical provider issues"

Page 1, line 11, replace "169,392" with "2,281,450" and replace "53,410,547" with "55,522,605"

Page 1, after line 23, insert:

"SECTION 3. A new section to chapter 65-02 of the North Dakota Century Code is created and enacted as follows:

Litigation expenses - Continuing appropriation. Money in the workforce safety and insurance fund is appropriated to the organization on a continuing basis for payment of organization expenses associated with litigating employer-related issues arising under this title and for payment of organization expenses associated with litigating medical provider-related issues identified under sections 65-02-23 and 65-02-20."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98021.0201 FN 1

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

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Thursday, April 2, 2009, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1577: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (8 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). HB 1577 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2046, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (17 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING). Reengrossed SB 2046 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2062, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO NOT PASS** (20 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). Reengrossed SB 2062 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2255: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (8 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). SB 2255 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2350, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (20 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2350 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2028: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(19 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING). SB 2028 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "repeal of"

Page 1, line 6, remove the overstrike over "~~Community service~~"

Page 1, line 7, remove the overstrike over "~~supervision fee-~~"

Page 1, line 23, remove the overstrike over "~~In addition to any court administration fees that may be imposed under~~"

Page 1, remove the overstrike over line 24

Page 2, remove the overstrike over line 1

Page 2, line 2, after "fifty" insert "twenty-five" and remove the overstrike over "~~dollars. The community service supervision fee must be deposited in the~~"

Page 2, remove the overstrike over lines 3 through 5

Page 2, line 6, remove the overstrike over "4:" and remove the overstrike over "~~or community service supervision fee~~"

Page 2, line 14, remove the overstrike over "~~or community service supervision fee~~"

Page 2, line 15, remove the overstrike over "~~or a community service supervision fee~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2042, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). Reengrossed SB 2042 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 806 of the House Journal, Reengrossed Senate Bill No. 2042 is amended as follows:

Page 17, after line 30, insert:

"SECTION 13. LEGISLATIVE INTENT - FUNDING. It is the intent of the sixty-first legislative assembly that the parenting coordinator program provided for in section 11 of this Act be self-sustaining and not receive any funding from the general fund after the 2009-11 biennium."

Page 18, line 2, replace "2011" with "2013"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides legislative intent that the parenting coordinator program be self-sufficient after the 2009-11 biennium and changes the expiration date of the Act to June 30, 2013.

REPORT OF STANDING COMMITTEE

SB 2121: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). SB 2121 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "three" with "two" and after the semicolon insert "and"

Page 1, line 4, replace "; to provide an" with a period

Page 1, remove line 5

Page 1, replace lines 14 through 24 with:

"27-05-01. Judicial districts - Number of judges.

- 4- ~~The judicial districts in this state and the number of judges in each of the judicial districts are as designated by rule of the supreme court. The number of judges in each of the judicial districts is as follows:~~
- ~~a. The northwest judicial district shall have five judges.~~
 - ~~b. The northeast judicial district shall have three judges.~~
 - ~~c. The northeast central judicial district shall have four judges.~~
 - ~~d. The east central judicial district shall have four judges.~~
 - ~~e. The southeast judicial district shall have three judges.~~
 - ~~f. The south central judicial district shall have five judges.~~
 - ~~g. The southwest judicial district shall have three judges."~~

Page 2, remove lines 5 through 21

Page 5, remove lines 1 through 9

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the new judgeships from three to two and amends North Dakota Century Code Section 27-05-01 to provide that the number of judges in each judicial district shall be determined by rule of the Supreme Court.

REPORT OF STANDING COMMITTEE

SB 2178: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2178 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "department of corrections and rehabilitation" with "office of management and budget"

Page 1, line 6, replace "\$500,000" with "\$250,000"

Page 1, line 7, replace "department of corrections and rehabilitation" with "office of management and budget"

Page 1, line 9, replace "department of corrections and rehabilitation" with "office of management and budget"

Page 1, line 10, after "basis" insert "on August first of each year of the 2009-11 biennium"

Page 1, line 11, replace "12,263" with "6,132"

Page 1, line 12, replace "28,203" with "14,101"

Page 1, line 13, replace "17,956" with "8,978"

Page 1, line 14, replace "14,620" with "7,310"

Page 1, line 15, replace "17,373" with "8,687"

Page 1, line 16, replace "33,665" with "16,832"

Page 1, line 17, replace "27,505" with "13,752"

Page 1, line 18, replace "19,080" with "9,540"

Page 1, line 19, replace "21,938" with "10,969"

Page 1, line 20, replace "13,459" with "6,730"

Page 1, line 21, replace "15,913" with "7,956"

Page 1, line 22, replace "10,981" with "5,491"

Page 1, line 23, replace "17,044" with "8,522"

Page 1, line 24, replace "250,000" with "125,000"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the appropriation for community service supervision grants from \$250,000 to \$125,000 and provides the appropriation to the Office of Management and Budget rather than the Department of Corrections and Rehabilitation.

REPORT OF STANDING COMMITTEE

SB 2201: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING). SB 2201 was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the House as printed on page 922 of the House Journal, Senate Bill No. 2201 is further amended as follows:

Page 1, line 4, after the second semicolon insert "to provide for a reduction of appropriation authority;"

Page 5, after line 16, insert:

"SECTION 5. APPROPRIATION AUTHORITY REDUCTION. The total amount of expenditures from appropriations provided by the sixty-first legislative assembly for the biennium beginning July 1, 2009, and ending June 30, 2011, may not exceed \$300,000,000 for funding state reimbursement of property tax relief or property tax reduction or credit funding for programs initiated by 2009 legislation. To the extent appropriations for such programs authorized by the sixty-first legislative assembly exceed \$300,000,000, proportionate reductions must be made in all such appropriations to the end that total expenditures do not exceed \$300,000,000.

The legislative council shall develop and maintain a compilation of all legislative bills and appropriations that could be subject to the reduction of appropriation authority under this section."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2212, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2212 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "an appropriation" with "for grant applications"

Page 1, line 20, replace "**APPROPRIATION.** There is appropriated out of any moneys in the" with "**REGIONAL EDUCATION ASSOCIATION GRANTS.**"

Page 1, remove lines 21 through 23

Page 1, line 24, remove "beginning July 1, 2009, and ending June 30, 2011."

Page 2, line 4, after "learners" insert ", for the biennium beginning July 1, 2009, and ending June 30, 2011"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2216: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(18 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). SB 2216 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 962 of the House Journal, Senate Bill No. 2216 is amended as follows:

Page 1, line 2, after "precede" insert "child forensic medical examinations and"

Page 1, line 3, after "examinations" insert "; to provide an appropriation; and to declare an emergency"

Page 1, line 17, after "2." insert "A child forensic medical examination is an examination performed on an alleged child victim of criminal sexual conduct for the purpose of gathering evidence of an alleged crime. When a child forensic medical examination is performed, the costs incurred by a health care facility or health care professional for performing the child forensic medical examination or any preliminary medical screening examination may not be charged, either directly or through a third-party payer, to the alleged child victim or the child's parent, guardian, or custodian.

3."

Page 1, line 21, overstrike "3." and insert immediately thereafter "4."

Page 1, after line 23, insert:

"SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the insurance regulatory trust fund in the state treasury, not otherwise appropriated, the sum of \$410,000, or so much of the sum as may be necessary, to the attorney general for the purpose of reimbursing health care facilities and health care professionals for the costs of performing preliminary medical screening examinations, child forensic medical examinations, and acute medical examinations on alleged victims of criminal sexual conduct, for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2229, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING). Reengrossed SB 2229 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 962-965 of the House Journal, Reengrossed Senate Bill No. 2229 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 57-51-15 and 57-62-06 of the North Dakota Century Code, relating to allocation of oil and gas gross production taxes; to provide an appropriation; to provide an effective date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

1. First the tax revenue collected under this chapter equal to one percent of the gross value at the well of the oil and one-fifth of the tax on gas must be deposited with the state treasurer who shall ~~credit~~:
 - a. Credit thirty-three and one-third percent of the revenues to the oil and gas impact grant fund, but not in an amount exceeding ~~six~~ eight million dollars per biennium; ~~including any amounts otherwise~~

~~appropriated for oil and gas impact grants for the biennium by the legislative assembly, and who shall credit;~~

- b. Allocate five hundred thousand dollars per fiscal year to each city in an oil-producing county which has a population of seven thousand five hundred or more and more than two percent of its private covered employment engaged in the mining industry, according to data compiled by job service North Dakota. The allocation under this subdivision must be doubled if the city has more than seven and one-half percent of its private covered employment engaged in the mining industry, according to data compiled by job service North Dakota; and
 - c. Credit the remaining revenues to the state general fund.
 - 2. After deduction of the amount provided in subsection 1, annual revenue collected under this chapter from oil and gas produced in each county must be allocated as follows:
 - a. The first one million dollars of annual revenue after the deduction of the amount provided for in subsection 1 from oil or gas produced in any county must be allocated to that the county.
 - b. The second next one million dollars of annual revenue after the deduction for the amount provided for in subsection 1 from oil and gas produced in any county must be allocated seventy-five percent to that the county and twenty-five percent to the state general fund.
 - c. The third next one million dollars of annual revenue after the deduction of the amount provided for in subsection 1 from oil or gas produced in any county must be allocated fifty percent to that the county and fifty percent to the state general fund.
 - d. All annual revenue after the deduction of the amount provided for in subsection 1 above three million dollars from oil or gas produced in any county remaining after the allocation in subdivision c must be allocated twenty-five percent to that the county and seventy-five percent to the state general fund. However, the
 - 3. The amount to which each county is entitled pursuant to this under subsection 2 must be limited based upon the population of allocated within the county according to the last official decennial federal census as follows:
 - a. Counties having a population of three thousand or less shall receive ~~no more than~~ three million nine hundred thousand dollars for allocation under subsection 4 for each fiscal year; ~~however, a county may receive up to four million nine hundred thousand dollars under this subdivision.~~ A county may receive the full amount to which it is entitled under subsection 2 for each fiscal year if during that fiscal year the county levies a total of at least ten mills for combined levies for county road and bridge, farm-to-market and federal-aid road, and county road purposes. Any amount received by a county exceeding three million nine hundred thousand dollars under this subdivision is not subject to allocation under subsection 3 4 but must be credited by the county treasurer to the county ~~general~~ infrastructure fund.
 - b. Counties having a population of over three thousand but less than six thousand shall receive ~~no more than~~ four million one hundred thousand dollars for allocation under subsection 4 for each fiscal year; ~~however, a county may receive up to five million one hundred thousand dollars under this subdivision.~~ A county may receive the full amount to which it is entitled under subsection 2 for each fiscal year if during that fiscal year the county levies a total of at least ten mills for combined levies for county road and bridge, farm-to-market and federal-aid road, and county road purposes. Any amount received by a county exceeding four million one hundred thousand dollars under this subdivision is not subject to allocation under subsection 3 4 but must be credited by the county treasurer to the county ~~general~~ infrastructure fund.

- c. Counties having a population of six thousand or more shall receive ~~no more than~~ four million six hundred thousand dollars for allocation under subsection 4 for each fiscal year; ~~however, a county may receive up to five million six hundred thousand dollars under this subdivision.~~ A county may receive the full amount to which it is entitled under subsection 2 for each fiscal year if during that fiscal year the county levies a total of ten mills or more for combined levies for county road and bridge, farm-to-market and federal-aid road, and county road purposes. Any amount received by a county exceeding four million six hundred thousand dollars under this subdivision is not subject to allocation under subsection ~~3~~ 4 but must be credited by the county treasurer to the county general infrastructure fund.

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

- ~~3.~~ 4. a. Forty-five percent of all revenues ~~as may by the legislative assembly be allocated to any county hereunder~~ for allocation under this subsection must be credited by the county treasurer to the county general fund.
- b. Thirty-five percent of all revenues allocated to any county for allocation under this subsection must be apportioned by the county treasurer no less than quarterly to school districts within the county on the average daily attendance distribution basis, as certified to the county treasurer by the county superintendent of schools. However, no school district may receive in any single academic year an amount under this subsection greater than the county average per student cost multiplied by seventy percent, then multiplied by the number of students in average daily attendance or the number of children of school age in the school census for the county, whichever is greater. Provided, however, that in any county in which the average daily attendance or the school census, whichever is greater, is fewer than four hundred, the county is entitled to one hundred twenty percent of the county average per student cost multiplied by the number of students in average daily attendance or the number of children of school age in the school census for the county, whichever is greater. Once this level has been reached through distributions under this subsection, all excess funds to which the school district would be entitled as part of its thirty-five percent share must be deposited instead in the county general fund. The county superintendent of schools of each oil-producing county shall certify to the county treasurer by July first of each year the amount to which each school district is limited pursuant to this subsection. As used in this subsection, "average daily attendance" means the average daily attendance for the school year immediately preceding the certification by the county superintendent of schools required by this subsection.
- c. Twenty percent of all revenues allocated to any county ~~hereunder~~ for allocation under this subsection must be ~~paid~~ apportioned no less than quarterly by the state treasurer to the incorporated cities of the county. Apportionment among cities under this subsection must be based upon the population of each incorporated city according to the last official decennial federal census. Once this level has been reached through distributions under this subsection, all excess funds to which any city would be entitled except for this limitation must be deposited instead in that county's general fund. Provided, however, that in In determining the population of any city that receives a direct allocation under subsection 1, that city's population for purposes of this subdivision must be reduced by forty percent. In determining the population of any city in which total employment increases by more than two hundred percent seasonally due to tourism, the population of that city for purposes of determining the per capita limitation in this section subdivision must be increased by adding to the population of the city as determined by the last official decennial federal census a number to be determined as follows:
- a. (1) Seasonal employees of state and federal tourist facilities within five miles [8.05 kilometers] of the city must be included by

adding the months all such employees were employed during the prior year and dividing by twelve.

- b- (2) Seasonal employees of all private tourist facilities within the city and seasonal employees employed by the city must be included by adding the months all such employees were employed during the prior year and dividing by twelve.
 - e- (3) The number of visitors to the tourist attraction within the city or within five miles [8.05 kilometers] of the city which draws the largest number of visitors annually must be included by taking the smaller of either of the following:
 - (4) (a) The total number of visitors to that tourist attraction the prior year divided by three hundred sixty-five; or
 - (2) (b) Four hundred twenty.
5. a. Forty-five percent of all revenues allocated to a county infrastructure fund under subsection 3 must be credited by the county treasurer to the county general fund.
- b. Thirty-five percent of all revenues allocated to the county infrastructure fund under subsection 3 must be allocated by the board of county commissioners to or for the benefit of townships or school districts in the county on the basis of applications by townships for funding to offset oil and gas development impact to township roads or applications by school districts for repair or replacement of school district vehicles necessitated by damage or deterioration attributable to travel on oil and gas development-impacted roads. For unorganized townships within the county, the board of county commissioners may expend an appropriate portion of revenues under this subdivision to offset oil and gas development impact to township roads in those townships. Allocations to organized townships or to school districts under this subdivision may be made only for reimbursement of qualifying expenditures previously made by the applicant township or school district. The amount deposited during each calendar year in the county infrastructure fund which is designated for allocation under this subdivision and which is unexpended and unobligated at the end of the calendar year must be transferred by the county treasurer to the county road and bridge fund for use on county road and bridge projects.
- c. Twenty percent of all revenues allocated to any county infrastructure fund under subsection 3 must be allocated by the county treasurer no less than quarterly to the incorporated cities of the county. Apportionment among cities under this subsection must be based upon the population of each incorporated city according to the last official decennial federal census. In determining the population of any city that receives a direct allocation under subsection 1, that city's population for purposes of this subdivision must be reduced by forty percent.

SECTION 2. AMENDMENT. Section 57-62-06 of the North Dakota Century Code is amended and reenacted as follows:

57-62-06. Legislative intent and guidelines on impact grants. The legislative assembly intends that the moneys appropriated to, and distributed by, the energy development impact office for grants are to be used by grantees to meet initial impacts affecting basic governmental services, and directly necessitated by coal development and oil and gas development impact. However, the energy development impact office shall give priority to projects funded from the proceeds of the oil and gas gross production tax to transportation infrastructure projects. As used in this section, "basic governmental services" do not include activities relating to marriage or guidance counseling, services or programs to alleviate other sociological impacts, or services or facilities to meet secondary impacts. All grant applications and presentations to the energy development impact office must be made by an appointed or elected government official.

SECTION 3. APPROPRIATION. There is appropriated out of any moneys in the permanent oil tax trust fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the energy development impact office for the purpose of allocation of oil and gas impact grants among political subdivisions in addition to the amounts to be allocated as provided by law, for the period beginning with the effective date of this Act and ending June 30, 2011. The funds provided in this section must be allocated to provide additional grant funds of \$5,000,000 in the grant round awarded in 2009.

SECTION 4. EFFECTIVE DATE. Section 1 of this Act is effective for taxable events occurring after June 30, 2009.

SECTION 5. EMERGENCY. Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2230, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2230 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 965 of the House Journal, Engrossed Senate Bill No. 2230 is amended as follows:

Page 1, line 2, after "organizations" insert "; and to provide a contingent appropriation"

Page 1, line 4, after "**APPROPRIATION**" insert "- **FEDERAL FISCAL STIMULUS FUNDS**" and replace "out of any moneys in the" with "from federal fiscal stimulus funds made available to the state under the federal American Recovery and Reinvestment Act of 2009"

Page 1, line 5, remove "general fund in the state treasury" and replace "\$2,000,000" with "\$1,000,000"

Page 1, line 11, remove "The state department of health is authorized one related"

Page 1, replace line 12 with "Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

SECTION 2. CONTINGENT APPROPRIATION. If federal funds appropriated under section 1 of this Act are not available to provide the sum of \$1,000,000, there is appropriated out of moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the state department of health for providing grants and related administrative costs to domestic violence sexual assault organizations, for the biennium beginning July 1, 2009, and ending June 30, 2011. The state department of health may only spend the general fund moneys to the extent that federal funds are not available to provide the \$1,000,000 appropriated under section 1 of this Act."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 90362.0302 FN 1

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

REPORT OF STANDING COMMITTEE

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

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

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

Page 2, after line 16, insert:

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

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

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

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2266, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Reengrossed SB 2266 was placed on the Sixth order on the calendar.

Page 3, line 5, remove "out of any moneys in the"

Page 3, line 6, replace "general fund in the state treasury, not otherwise appropriated" with "from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, from other grants, or from other funds available within the university system's 2009-11 biennium budget"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 90765.0301 FN 1

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

REPORT OF STANDING COMMITTEE

SB 2336, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2336 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 942 of the House Journal, Engrossed Senate Bill No. 2336 is amended as follows:

Page 1, line 2, replace "Garrison diversion overview committee" with "creation of a legislative overview committee for water-related topics; and to provide an expiration date"

Page 1, line 6, overstrike "**Garrison diversion**" and insert immediately thereafter "**Water-related topics**"

Page 1, line 9, replace "Garrison diversion" with "water-related topics"

Page 1, line 11, replace "the Garrison diversion project and related matters" with "water-related topics"

Page 1, after line 15, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through November 30, 2013, and after that date is ineffective."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2342, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 11 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2342 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "40,000" with "40,000"

Page 1, remove line 15

Page 1, line 16, replace "275,500" with "245,500"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes \$30,000 of the general fund appropriation designated for office support.

REPORT OF STANDING COMMITTEE

SB 2373: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). SB 2373 was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the House as printed on page 968 of the House Journal, Senate Bill No. 2373 is further amended as follows:

Page 1, line 2, replace the second "and" with "to provide for a report to the legislative assembly;" and after "appropriation" insert "; and to provide an expiration date"

Page 1, after line 20, insert:

"SECTION 2. REPORT TO SIXTY-SECOND AND SIXTY-THIRD LEGISLATIVE ASSEMBLIES. The grape and wine program fund committee shall report to the sixty-second and sixty-third legislative assemblies on the progress of the grape and wine program and the use of the grape and wine program fund.

SECTION 3. EXPIRATION DATE. This Act is effective through June 30, 2013, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2391: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2391 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 907 and 908 of the House Journal, Senate Bill No. 2391 is amended as follows:

Page 1, line 11, replace "nongovernmental" with "statewide marketing firm"

Page 1, line 12, remove "entity that provides alternatives-to-abortion services to conduct statewide marketing"

Page 1, line 23, replace "\$500,000" with "\$100,000"

Page 2, line 2, replace "designate \$400,000 of this appropriation for alternatives-to-abortion services and" with "use this funding for contracting with a statewide marketing firm to inform the public about the alternatives-to-abortion program. Funding for the alternatives-to-abortion program is also appropriated to the Department of Human Services in House Bill No. 1012."

Page 2, remove lines 3 and 4

Renumber accordingly

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

Buell J. Reich, Chief Clerk