

JOURNAL OF THE HOUSE

Fifty-sixth Legislative Assembly

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Bismarck, February 10, 1999

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

The prayer was offered by Pastor Lisa Ahlness, Lord of Life Lutheran Church, Bismarck.

The roll was called and all members were present.

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. DeKrey, Chairman)** has carefully reexamined the Journal of the Twenty-fifth Day and examined the Journal of the Twenty-sixth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 357, line 26, after "**DO**" insert "**NOT**"

Page 358, line 27, after "**DO**" insert "**NOT**"

Page 360, line 24, after "**DO**" insert "**NOT**"

Page 370, line 14, after "he" insert "was present and"

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

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to HB 1040, HB 1128, HB 1152, HB 1183, HB 1185, HB 1311, HB 1320, HB 1324, HB 1336, HB 1337, HB 1338, HB 1396, HB 1398, HB 1412, HB 1428, HB 1439, HB 1440, HB 1454, HB 1457, and HB 1468 be adopted, which motion prevailed.

HB 1183 and HB 1428, as amended, were rereferred to the **Appropriations Committee**.

HB 1040, HB 1128, HB 1152, HB 1185, HB 1311, HB 1320, HB 1324, HB 1336, HB 1337, HB 1338, HB 1396, HB 1398, HB 1412, HB 1439, HB 1440, HB 1454, HB 1457, and HB 1468, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. L. THORESON MOVED that the House reconsider its action whereby Engrossed HB 1452 failed to pass for lack of a Constitutional majority.

REQUEST

REP. L. THORESON REQUESTED a recorded roll call vote on the motion to reconsider the action whereby Engrossed HB 1452 failed to pass for lack of a Constitutional majority, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby Engrossed HB 1452 failed to pass for lack of a Constitutional majority, the roll was called and there were 67 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Bernstein; Boucher; Brandenburg; Carlisle; Carlson; Cleary; Dalrymple; DeKrey; Delmore; Disrud; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gulleston; Gunter; Hanson; Hawken; Henegar; Hoffner; Huether; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klemin; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Rennerfeldt; Rose; Sandvig; Schmidt; Solberg; Stefanowicz; Sveen; Thoreson, L.; Thorpe; Warner; Wentz; Wikenheiser; Winrich

NAYS: Berg; Boehm; Brekke; Brusegaard; Byerly; Clark; Delzer; Devlin; Dorso; Grande; Grosz; Haas; Herbel; Johnson, N.; Klein; Kliniske; Lloyd; Mickelson; Monson; Pollert; Poolman; Porter; Price; Renner; Severson; Svedjan; Thoreson, B.; Timm; Tollefson; Weisz; Speaker Wald

So the motion to reconsider the action whereby Engrossed HB 1452 failed to pass for lack of a Constitutional majority prevailed.

SECOND READING OF HOUSE BILL

HB 1452: A BILL for an Act to create and enact a new section to chapter 26.1-36 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to required insurance coverage for dental anesthesia and hospitalization.

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 61 YEAS, 37 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brandenburg; Carlisle; Carlson; Cleary; DeKrey; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gullerson; Hanson; Hawken; Henegar; Hoffner; Huether; Jensen; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Klemin; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Rennerfeldt; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brekke; Brusegaard; Byerly; Clark; Dalrymple; Delzer; Devlin; Dorso; Drovdal; Grande; Grosz; Gunter; Haas; Herbel; Johnson, N.; Keiser; Kempenich; Klein; Kliniske; Lloyd; Mickelson; Monson; Nelson; Pollert; Poolman; Porter; Price; Renner; Severson; Svedjan; Thoreson, B.; Weisz; Speaker Wald

Engrossed HB 1452 passed and the title was agreed to.

MOTION

REP. KEMPENICH MOVED that the House reconsider its action whereby HB 1282 passed.

REQUEST

REP. DROVDAL REQUESTED a recorded roll call vote on the motion to reconsider the action whereby HB 1282 passed, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby HB 1282 passed, the roll was called and there were 57 YEAS, 41 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Boucher; Brekke; Delmore; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gullerson; Haas; Hanson; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Porter; Price; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thoreson, L.; Warner; Wikenheiser; Winrich

NAYS: Belter; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Gorder; Grande; Grosz; Grumbo; Gunter; Hawken; Henegar; Herbel; Huether; Koppelman; Lemieux; Lloyd; Nelson; Nicholas; Poolman; Renner; Rennerfeldt; Rose; Severson; Svedjan; Thoreson, B.; Thorpe; Timm; Tollefson; Weisz; Wentz; Speaker Wald

So the motion to reconsider the action whereby HB 1282 passed prevailed.

SECOND READING OF HOUSE BILL

HB 1282: A BILL for an Act to create and enact a new section to chapter 15-59 of the North Dakota Century Code, relating to special education credentials.

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 37 YEAS, 61 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Hawken; Henegar; Huether; Koppelman; Lemieux; Lloyd; Renner; Rennerfeldt; Severson; Thorpe; Timm; Tollefson; Weisz; Wentz; Speaker Wald

NAYS: Aarsvold; Boucher; Delmore; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gullerson; Haas; Hanson; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Warner; Wikenheiser; Winrich

HB 1282 was declared lost.

SECOND READING OF SENATE BILL

SB 2105: A BILL for an Act to provide for allocation of state aid distribution fund revenues upon transition to the allocation formula established by 1997 House Bill No. 1019; 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 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Johnson, N.; Maragos; Nicholas

SB 2105 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. DORSO MOVED that HB 1449, HB 1225, and HB 1253 be placed at the bottom of the calendar, which motion prevailed.

MOTION

REP. DORSO MOVED that HB 1478, which is on the Eleventh order, be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, HB 1478 was rereferred.

SECOND READING OF HOUSE BILL

HB 1026: A BILL for an Act to amend and reenact subsection 1 of section 28-32-02 of the North Dakota Century Code, relating to clarifying rulemaking authority of administrative agencies; and to direct a legislative council study of the rulemaking authority of administrative agencies.

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 93 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Fairfield; Kelsh, S.; Lundgren

ABSENT AND NOT VOTING: Nicholas; Svedjan

HB 1026 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1047: A BILL for an Act to amend and reenact section 6-09-15.5 of the North Dakota Century Code, relating to the beginning farmer revolving loan fund; to provide for a transfer; to provide an effective date; 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 81 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Niemeier; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Boucher; Fairfield; Glassheim; Hanson; Kelsh, S.; Lundgren; Metcalf; Meyer; Mueller; Nichols; Nowatzki; Solberg; Stefonowicz; Thorpe; Warner

ABSENT AND NOT VOTING: Nicholas; Svedjan

HB 1047 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1048: A BILL for an Act to create and enact sections 54-11-15, 54-11-16, 54-11-17, 54-11-18, 54-11-19, 54-11-20, 54-11-21, 54-11-22, 54-11-23, 54-11-24, 54-11-25, 54-11-26, 54-11-27, 54-11-28, 54-11-29, and 54-11-30 of the North Dakota Century Code, relating to debt collection by the state treasurer; and to amend and reenact subsection 3 of section 54-44-04, sections 54-44-07, and 54-44-08 of the North Dakota Century Code, relating to debt collection.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 94 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Maragos; Stefonowicz

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.;

Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Nicholas; Svedjan

HB 1048 was declared lost.

SECOND READING OF HOUSE BILL

HB 1058: A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to ticket scalping; 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, 65 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bernstein; Boehm; Boucher; Brekke; Ekstrom; Fairfield; Froelich; Glassheim; Gulleason; Hoffner; Kelsh, S.; Kerzman; Kliniske; Kroeber; Lemieux; Lundgren; Mickelson; Nottestad; Poolman; Price; Renner; Schmidt; Solberg; Stefonowicz; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Winrich

NAYS: Belter; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Koppang; Koppelman; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nowatzki; Pollert; Porter; Rennerfeldt; Rose; Sandvig; Severson; Thoreson, B.; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Berg; Svedjan

HB 1058 was declared lost.

SECOND READING OF HOUSE BILL

HB 1083: A BILL for an Act to amend and reenact section 15-03-16 of the North Dakota Century Code, relating to continuing appropriations for the board of university and school lands.

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

YEAS: Aarsvold; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Bernstein; Jensen; Svedjan

HB 1083 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1197: A BILL for an Act to amend and reenact sections 5-01-08 and 27-20-31.1 of the North Dakota Century Code, relating to the suspension of driving privileges for alcohol offenses by youthful offenders.

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 25 YEAS, 71 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Dalrymple; DeKrey; Delmore; Dorso; Ekstrom; Fairfield; Grumbo; Gullerson; Gunter; Herbel; Huether; Kelsh, S.; Koppelman; Lloyd; Lundgren; Niemeier; Price; Sandvig; Solberg; Stefonowicz; Wentz; Winrich

NAYS: Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Delzer; Devlin; Disrud; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Haas; Hanson; Hawken; Henegar; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rennerfeldt; Rose; Schmidt; Severson; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Bernstein; Svedjan

HB 1197 was declared lost.

SECOND READING OF HOUSE BILL

HB 1249: A BILL for an Act to amend and reenact subsection 3 of section 10-06.1-10 of the North Dakota Century Code, relating to approval of farmland or ranchland acquisitions by nonprofit organizations.

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 32 YEAS, 65 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Brekke; Brusegaard; DeKrey; Devlin; Drovdal; Fairfield; Froelich; Froseth; Galvin; Grumbo; Gullerson; Gunter; Haas; Huether; Johnson, D.; Kempenich; Kerzman; Lemieux; Lundgren; Meyer; Mueller; Nelson; Nichols; Niemeier; Pollert; Price; Sandvig; Severson; Solberg; Stefonowicz; Weisz

NAYS: Belter; Berg; Boehm; Boucher; Brandenburg; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Disrud; Dorso; Eckre; Ekstrom; Glassheim; Gorder; Grande; Grosz; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Mickelson; Monson; Nicholas; Nottestad; Nowatzki; Poolman; Porter; Renner; Rennerfeldt; Rose; Schmidt; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Bernstein

HB 1249 was declared lost.

SECOND READING OF HOUSE BILL

HB 1316: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to economic impact statements prior to closure of institutions of higher education.

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 41 YEAS, 56 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Dalrymple; Delmore; Eckre; Ekstrom; Fairfield; Glassheim; Grumbo; Guleson; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Kelsch, R.; Kelsh, S.; Kerzman; Kliniske; Kroeber; Lemieux; Mahoney; Maragos; Metcalf; Mueller; Nicholas; Niemeier; Nottestad; Nowatzki; Poolman; Rose; Sandvig; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wentz; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Henegar; Johnson, D.; Johnson, N.; Keiser; Kempenich; Klein; Klemin; Koppang; Koppelman; Lloyd; Lundgren; Martinson; Meyer; Mickelson; Monson; Nelson; Nichols; Pollert; Porter; Price; Rennerfeldt; Schmidt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Renner

HB 1316 was declared lost.

SECOND READING OF HOUSE BILL

HB 1352: A BILL for an Act to amend and reenact sections 39-04-08, 39-04-10.4, and 39-04-11 of the North Dakota Century Code, relating to number plates; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 27 YEAS, 71 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Berg; Byerly; Carlisle; DeKrey; Delzer; Devlin; Dorso; Froelich; Glassheim; Grosz; Johnson, D.; Kempenich; Kerzman; Lemieux; Lloyd; Maragos; Meyer; Nelson; Nottestad; Nowatzki; Poolman; Solberg; Stefonowicz; Thoreson, B.; Thorpe; Timm; Weisz

NAYS: Aarsvold; Belter; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Carlson; Clark; Cleary; Dalrymple; Delmore; Disrud; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Gorder; Grande; Grumbo; Guleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lundgren; Mahoney; Martinson; Metcalf; Mickelson; Monson; Mueller; Nicholas; Nichols; Niemeier; Pollert; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Svedjan; Sveen; Thoreson, L.; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

HB 1352 was declared lost.

SECOND READING OF HOUSE BILL

HB 1369: A BILL for an Act to amend and reenact sections 20.1-01-17, 20.1-01-18, 20.1-01-19, and 20.1-01-20 of the North Dakota Century Code, relating to hunting on private lands.

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 23 YEAS, 75 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boehm; Boucher; Brusegaard; DeKrey; Devlin; Drovdal; Froelich; Glassheim; Jensen; Kempenich; Kerzman; Lemieux; Lloyd; Meyer; Nichols; Niemeier; Renner; Schmidt; Severson; Thorpe; Warner; Weisz; Wentz

NAYS: Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Sandvig;

Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Wikenheiser; Winrich; Speaker Wald

HB 1369 was declared lost.

SECOND READING OF HOUSE BILL

HB 1374: A BILL for an Act to amend and reenact section 6-06-14 of the North Dakota Century Code, relating to credit union unsecured loan limits.

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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

HB 1374 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1377: A BILL for an Act to create and enact three new sections to chapter 11-28.2 of the North Dakota Century Code, relating to annexation of territory by a recreation service district; and to amend and reenact section 11-28.2-01 of the North Dakota Century Code, relating to annexation of territory by a recreation service district.

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 98 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

HB 1377 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1378: A BILL for an Act to create and enact a new section to chapter 26.1-36 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to insurance coverage for chlamydia screening.

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 19 YEAS, 76 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Disrud; Ekstrom; Fairfield; Grumbo; Gulleston; Hoffner; Huether; Kelsh, S.; Lemieux; Niemeier; Nowatzki; Rose; Sandvig; Solberg; Thorpe; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Schmidt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Dorso; Maragos; Stefonowicz

HB 1378 was declared lost.

SECOND READING OF HOUSE BILL

HB 1385: A BILL for an Act relating to grain and oilseed testing standards.

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 26 YEAS, 71 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Ekstrom; Fairfield; Froelich; Froseth; Gorder; Grumbo; Gulleston; Hoffner; Huether; Kelsh, S.; Kerzman; Lemieux; Lundgren; Mahoney; Martinson; Nichols; Niemeier; Rose; Sandvig; Schmidt; Severson; Solberg; Sveen

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Galvin; Glassheim; Grande; Grosz; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Maragos

HB 1385 was declared lost.

SECOND READING OF HOUSE BILL

HB 1386: A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to the fee for a special nonresident waterfowl hunting license; and to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to waterfowl hunting by nonresidents.

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 5 YEAS, 91 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Brekke; DeKrey; Gorder; Kliniske; Nelson

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Cleary; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Glassheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.;

Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich;
Speaker Wald

ABSENT AND NOT VOTING: Clark; Galvin

HB 1386 was declared lost.

SECOND READING OF HOUSE BILL

HB 1387: A BILL for an Act to amend and reenact section 28-26-01 of the North Dakota Century Code, relating to the awarding of attorney's fees.

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 13 YEAS, 84 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boehm; Brusegaard; Carlson; Clark; DeKrey; Delzer; Drovdal; Grosz; Gulleeson; Lloyd; Renner; Speaker Wald

NAYS: Belter; Berg; Bernstein; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Cleary; Dalrymple; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Delmore

HB 1387 was declared lost.

SECOND READING OF HOUSE BILL

HB 1392: A BILL for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to nonresident waterfowl hunting licenses.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 15 YEAS, 83 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Carlson; Ekstrom; Fairfield; Gorder; Grande; Grumbo; Hanson; Hoffner; Kelsh, S.; Kroeber; Nichols; Niemeier; Sandvig; Solberg; Stefanowicz

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Grosz; Gulleeson; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

HB 1392 was declared lost.

SECOND READING OF HOUSE BILL

HB 1395: A BILL for an Act to create and enact a new section to chapter 49-21 of the North Dakota Century Code, relating to telemarketers; and to amend and reenact section 49-21-01 of the North Dakota Century Code, relating to definitions relating to telemarketing; 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 33 YEAS, 61 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brusegaard; Clark; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleson; Hanson; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Maragos; Martinson; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Warner; Winrich

NAYS: Belter; Bernstein; Boehm; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Metcalf; Mickelson; Monson; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Berg; Gorder; Mahoney; Price

HB 1395 was declared lost.

SECOND READING OF HOUSE BILL

HB 1397: A BILL for an Act to amend and reenact section 11-33-01 of the North Dakota Century Code, relating to the power of a county to regulate zoning.

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 30 YEAS, 67 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Belter; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Carlson; DeKrey; Delzer; Devlin; Gorder; Grande; Grosz; Gunter; Herbel; Johnson, D.; Kempenich; Klein; Lloyd; Monson; Nelson; Nicholas; Renner; Rennerfeldt; Schmidt; Severson; Thoreson, B.; Timm; Tollefson; Weisz

NAYS: Aarsvold; Berg; Boucher; Byerly; Carlisle; Clark; Cleary; Dalrymple; Delmore; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grumbo; Gulleson; Haas; Hanson; Hawken; Henegar; Hoffner; Huether; Jensen; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klemin; Kliniske; Koppang; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rose; Sandvig; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Koppelman

HB 1397 was declared lost.

MOTION

REP. DORSO MOVED that the House stand in recess until 10:30 a.m., which motion prevailed.

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

SECOND READING OF HOUSE BILL

HB 1399: A BILL for an Act to amend and reenact section 4-28-07 of the North Dakota Century Code, relating to the wheat tax levy and its use.

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

YEAS: Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brekke; Byerly; Carlisle; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich;

Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wikenheiser; Winrich; Speaker Wald

NAYS: Boehm; Carlson; Delzer; Grande; Kerzman; Klein; Niemeier

ABSENT AND NOT VOTING: Boucher; Brusegaard; Dalrymple; Henegar; Maragos; Nicholas; Wentz

HB 1399 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1400: A BILL for an Act to provide for a liquor wholesaler's lien.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 95 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Brusegaard; Maragos; Wentz

HB 1400 was declared lost.

SECOND READING OF HOUSE BILL

HB 1407: A BILL for an Act to amend and reenact subsection 1 of section 14-09-09.7 of the North Dakota Century Code, relating to child support guidelines.

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 53 YEAS, 44 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Bernstein; Boehm; Brusegaard; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hawken; Huether; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klemin; Koppelman; Lemieux; Lundgren; Mahoney; Maragos; Mueller; Nichols; Nowatzki; Porter; Renner; Schmidt; Sveen; Timm; Tollefson; Warner; Weisz; Winrich

NAYS: Berg; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Cleary; Devlin; Drovdal; Haas; Henegar; Herbel; Hoffner; Jensen; Johnson, N.; Klein; Kliniske; Koppang; Kroeber; Lloyd; Martinson; Metcalf; Meyer; Mickelson; Monson; Nelson; Nicholas; Niemeier; Nottestad; Pollert; Poolman; Price; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Wentz

HB 1407 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1408: A BILL for an Act to provide for repayment of a coal development impact loan.

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 33 YEAS, 65 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Berg; Boehm; Boucher; Cleary; Delmore; Eckre; Fairfield; Froelich; Galvin; Glassheim; Grosz; Grumbo; Huether; Kelsh, S.; Kempenich; Kerzman; Lemieux; Lundgren; Mahoney; Maragos; Meyer; Mueller; Nottestad; Renner; Rose; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wentz; Speaker Wald

NAYS: Aarsvold; Belter; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Ekstrom; Froseth; Gorder; Grande; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Martinson; Metcalf; Mickelson; Monson; Nelson; Nicholas; Nichols; Niemeier; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Sandvig; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Winrich

HB 1408 was declared lost.

SECOND READING OF HOUSE BILL

HB 1409: A BILL for an Act to provide an appropriation to the department of human services for monitored visitation and safe exchange centers for children.

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 32 YEAS, 66 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Disrud; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleston; Hanson; Hoffner; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Metcalf; Meyer; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Stefonowicz; Thorpe; Warner; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Maragos; Martinson; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Solberg; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

HB 1409 was declared lost.

SECOND READING OF HOUSE BILL

HB 1414: A BILL for an Act to amend and reenact subdivision e of subsection 2 of section 51-13-02 of the North Dakota Century Code, relating to delinquency and collection charges on retail installment payments.

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 48 YEAS, 49 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Dalrymple; Devlin; Disrud; Dorso; Eckre; Ekstrom; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Klein; Klemin; Kliniske; Koppang; Martinson; Mickelson; Nelson; Nicholas; Nottestad;

Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Svedjan; Thoreson, B.; Timm; Tollefson; Wikenheiser

NAYS: Aarsvold; Boehm; Boucher; Brusegaard; Cleary; DeKrey; Delmore; Drovdal; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Gulleston; Hanson; Hoffner; Huether; Jensen; Kelsh, S.; Kempenich; Kerzman; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Monson; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Sveen; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Delzer

HB 1414 was declared lost.

SECOND READING OF HOUSE BILL

HB 1416: A BILL for an Act to amend and reenact section 39-10-26 of the North Dakota Century Code, relating to the operation of emergency vehicles.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Kelsch, R.; Mickelson; Price; Weisz

ABSENT AND NOT VOTING: Brandenburg; Niemeier

HB 1416 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1418, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, HB 1418 was rereferred.

SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to create and enact a new section to chapter 34-06 of the North Dakota Century Code, relating to the state minimum wage rate.

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 36 YEAS, 62 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleston; Hanson; Hoffner; Huether; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Warner; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Martinson; Mickelson; Monson; Nelson; Nicholas; Nottestad; Pollert;

Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

HB 1420 was declared lost.

SECOND READING OF HOUSE BILL

HB 1425: A BILL for an Act to provide for a state dairy board and regional dairy diagnostic teams; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 85 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Grumbo; Guleson; Hoffner; Huether; Lemieux; Nichols; Niemeier; Sandvig; Stefonowicz; Warner

NAYS: Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Solberg; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Dorso; Jensen

HB 1425 was declared lost.

SECOND READING OF HOUSE BILL

HB 1426: A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to business agreements between a beer brewer and wholesaler.

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 4 YEAS, 93 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Kelsch, R.; Klein; Porter; Speaker Wald

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Kerzman; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Weisz

HB 1426 was declared lost.

SECOND READING OF HOUSE BILL

HB 1435: A BILL for an Act to amend and reenact subsection 1 of section 15-40.2-08 of the North Dakota Century Code, relating to tuition payments on behalf of children placed for purposes other than education.

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 56 YEAS, 42 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bernstein; Boehm; Boucher; Brekke; Byerly; Clark; Cleary; DeKrey; Delmore; Delzer; Disrud; Dorso; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Hawken; Henegar; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kerzman; Klemin; Kliniske; Lemieux; Lundgren; Mahoney; Maragos; Meyer; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Renner; Rose; Sandvig; Schmidt; Severson; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Winrich

NAYS: Belter; Berg; Brandenburg; Brusegaard; Carlisle; Carlson; Dalrymple; Devlin; Drovdal; Eckre; Froseth; Gorder; Haas; Hanson; Herbel; Hoffner; Kelsch, R.; Kempenich; Klein; Koppang; Koppelman; Kroeber; Lloyd; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Pollert; Poolman; Porter; Price; Rennerfeldt; Solberg; Stefonowicz; Svedjan; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

HB 1435 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1437: A BILL for an Act to create and enact a new section to chapter 15-62.1 of the North Dakota Century Code, relating to the forgiveness of teachers' student loans.

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 21 YEAS, 74 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Grumbo; Gulleston; Hanson; Hoffner; Huether; Jensen; Kelsh, S.; Lemieux; Nichols; Niemeier; Rose; Sandvig; Stefonowicz; Warner; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rennerfeldt; Schmidt; Severson; Solberg; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Froelich; Meyer; Price

HB 1437 was declared lost.

SECOND READING OF HOUSE BILL

HB 1438: A BILL for an Act relating to the level of appropriation for education and corrections.

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 32 YEAS, 66 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleston; Hanson; Hoffner; Huether; Kelsh, S.; Kerzman; Kroeber; Lemieux; Mahoney; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Warner; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Lundgren; Maragos; Martinson; Mickelson;

Monson; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

HB 1438 was declared lost.

SECOND READING OF HOUSE BILL

HB 1442: A BILL for an Act to create and enact a new section to chapter 54-44.4 of the North Dakota Century Code, relating to providing a bidding preference for North Dakota based information technology businesses; and to amend and reenact section 54-44.4-05 of the North Dakota Century Code, relating to competitive bidding on purchases.

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

YEAS: Aarsvold; Belter; Brekke; Brusegaard; Eckre; Hawken; Maragos; Metcalf; Nelson; Nicholas; Thoreson, B.

NAYS: Berg; Bernstein; Boehm; Boucher; Brandenburg; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Meyer; Mickelson; Monson; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

HB 1442 was declared lost.

SECOND READING OF HOUSE BILL

HB 1453: A BILL for an Act to amend and reenact subsection 1 of section 39-06.1-11 of the North Dakota Century Code, relating to temporary restricted licenses.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 97 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Mickelson

HB 1453 was declared lost.

SECOND READING OF HOUSE BILL

HB 1456: A BILL for an Act to amend and reenact section 40-57.1-03 and 57-02.2-03 of the North Dakota Century Code, relating to tax exemptions for new industries and improvements to commercial and residential buildings; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 48 YEAS, 50 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Berg; Bernstein; Boucher; Brekke; Clark; Cleary; Delmore; Disrud; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Guleson; Haas; Hanson; Hawken; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Kelsh, S.; Kerzman; Koppelman; Kroeber; Lundgren; Maragos; Metcalf; Meyer; Monson; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Rose; Sandvig; Schmidt; Solberg; Sveen; Thoreson, B.; Thorpe; Warner; Wentz; Winrich

NAYS: Aarsvold; Belter; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Henegar; Herbel; Keiser; Kelsch, R.; Kempenich; Klein; Klemm; Kliniske; Koppang; Lemieux; Lloyd; Mahoney; Martinson; Mickelson; Nelson; Pollert; Poolman; Price; Renner; Rennerfeldt; Severson; Stefonowicz; Svedjan; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

HB 1456 was declared lost.

SECOND READING OF HOUSE BILL

HB 1458: A BILL for an Act to amend and reenact sections 11-10-02, 11-10-06, subsection 2 of section 11-10-10, sections 11-10-11, 11-17-04, 27-01-01.1, and subdivision j of subsection 1 of section 40-01.1-04 of the North Dakota Century Code, relating to the office of clerk of district court; and to repeal section 11-17-11 of the North Dakota Century Code, relating to state funding of clerk of district court.

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 37 YEAS, 61 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brekke; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Gorder; Grumbo; Guleson; Haas; Herbel; Huether; Kelsh, S.; Kerzman; Koppang; Kroeber; Lemieux; Lundgren; Mahoney; Metcalf; Meyer; Mueller; Nicholas; Nichols; Niemeier; Nowatzki; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wentz; Wikenheiser; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Froseth; Galvin; Glassheim; Grande; Grosz; Gunter; Hanson; Henegar; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemm; Kliniske; Koppelman; Lloyd; Maragos; Martinson; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Speaker Wald

HB 1458 was declared lost.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1038, HB 1046, HB 1071, HB 1072, HB 1095, HB 1141, HB 1143, HB 1194, HB 1257, HB 1267, HB 1272, HB 1312, HB 1314, HB 1315, HB 1327, HB 1362, HB 1365, HB 1379, HB 1444.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2065.

MOTION

REP. MONSON MOVED that the House be on the Fifth, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Thursday, February 11, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1011: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, line 1, after "patrol" insert "; and to create and enact two new sections to chapter 39-03 of the North Dakota Century Code, relating to the highway patrol operating fund and law enforcement training academy fees"

Page 1, line 8, replace "2,016,729" with "1,996,541"

Page 1, line 9, replace "22,564,316" with "22,187,004"

Page 1, line 10, replace "927,900" with "922,445"

Page 1, line 11, replace "25,508,945" with "25,105,990"

Page 1, line 12, replace "15,604,953" with "15,799,754"

Page 1, line 13, replace "9,903,992" with "9,306,236"

Page 2, after line 7, insert:

"SECTION 5. TRANSFER. The state treasurer shall transfer the sum of \$100,000 from the highway fund to the general fund during the biennium beginning July 1, 1999, and ending June 30, 2001. The purpose of the transfer is to reimburse the general fund for expenses incurred by the highway patrol in collecting revenue for the highway fund.

SECTION 6. OFFICE OF MANAGEMENT AND BUDGET, SUPREME COURT, AND LEGISLATIVE ASSEMBLY - PAYMENTS TO HIGHWAY PATROL. The office of management and budget shall pay \$50,000 to the highway patrol on July 1, 1999, the supreme court shall pay \$30,000 to the highway patrol on July 1, 2000, and the legislative assembly shall pay \$20,000 to the highway patrol on January 1, 2001, for the purpose of providing funding for capitol grounds security services provided by the highway patrol for the biennium beginning July 1, 1999, and ending June 30, 2001. The highway patrol shall deposit these funds in the highway patrol operating fund to be used for paying costs associated with providing security on the capitol grounds.

SECTION 7. Two new sections to chapter 39-03 of the North Dakota Century Code are created and enacted as follows:

Highway patrol operating fund. The highway patrol operating fund is a special fund in the state treasury. Moneys deposited in the fund must be used pursuant to legislative appropriations for highway patrol programs.

Law enforcement training academy - User fees. The highway patrol shall charge a fee of ten dollars per day for each person, excluding highway patrol personnel, attending law enforcement programs at the law enforcement training academy. The highway patrol shall charge a lodging fee of ten dollars per night for each person, excluding highway patrol personnel, staying overnight at the law enforcement training academy. Revenues from these fees must be deposited in the highway patrol operating fund."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 504 - HIGHWAY PATROL

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,016,729	(\$20,188)	\$1,996,541
Field operations	22,564,316	(377,312)	22,187,004
Law enforcement training academy	<u>927,900</u>	<u>(5,455)</u>	<u>922,445</u>
Total all funds	\$25,508,945	(\$402,955)	\$25,105,990
Less special funds	<u>15,604,953</u>	<u>194,801</u>	<u>15,799,754</u>

General fund	\$9,903,992	(\$597,756)	\$9,306,236
FTE	198.00	0.00	198.00

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY MARKET SALARY ADJUSTMENTS TO 1/1/2001	CHANGE FUNDING FOR CAPITOL SECURITY POSITION	REDUCE MOTOR POOL FUNDING	REMOVE MOBILE DATA TERMINAL MAINTENANCE FUNDING
Administration	(\$21,646)	\$4,847	(\$3,389) ¹			
Field operations	(206,410)	49,896		(5,798) ²	(175,000)	(40,000)
Law enforcement training academy	(7,165)	1,710				
Total all funds	(\$235,221)	\$56,453	(\$3,389)	(\$5,798)	(\$175,000)	(\$40,000)
Less special funds	(11,936)	2,737		100,000 ³		
General fund	(\$223,285)	\$53,716	(\$3,389)	(\$105,798)	(\$175,000)	(\$40,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	CHANGES FUNDING FOR LAW ENFORCEMENT TRAINING ACADEMY	TOTAL HOUSE CHANGES				
Administration		(\$20,188)				
Field operations		(377,312)				
Law enforcement training academy		(5,455)				
Total all funds	\$0	(\$402,955)				
Less special funds	104,000 ⁴	194,801				
General fund	(\$104,000)	(\$597,756)				
FTE	0.00	0.00				

House changes narrative:

¹ In addition to the two percent annual salary increases, funding is included to provide the superintendent a market equity salary increase of \$155 per month for the final six months of the biennium.

² Reduces operating expenses from \$29,479 to \$23,681 associated with the capitol grounds security position added in the executive budget.

³ A section is added providing that the Office of Management and Budget's facility management division pay \$50,000, the Supreme Court pay \$30,000, and the Legislative Assembly pay \$20,000 to the Highway Patrol during the 1999-2001 biennium to provide funding for capitol grounds security services provided by the Highway Patrol during the 1999-2001 biennium.

⁴ A section is added providing that the Highway Patrol charge non-Highway Patrol personnel attending courses at the Law Enforcement Training Academy a rate of \$10 per day and for the non-Highway Patrol personnel who stay overnight at the academy an additional fee of \$10 per night. For the 1999-2001 biennium, the Highway Patrol estimates collecting \$104,000 from these fees which will be used for the costs associated with operating the academy for the 1999-2001 biennium.

A section is added transferring \$100,000 from the highway fund to the general fund during the 1999-2001 biennium. The \$100,000 is 2.5 percent of the \$4 million of highway fund revenues anticipated to be collected to be collected by the Highway Patrol from trucking permits, overloads, and other fees during the 1999-2001 biennium. This transfer is intended to reimburse the general fund for a portion of the Highway Patrol's costs relating to collecting this revenue for the highway fund.

REPORT OF STANDING COMMITTEE

HB 1014: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1014 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and" and after "intent" insert "; and to create and enact a new section to chapter 54-56 of the North Dakota Century Code, relating to the children's services coordinating committee operating fund"

Page 1, line 9, replace "70,784" with "70,161"

Page 1, line 10, replace "120,313" with "57,339"

Page 1, line 11, replace "6,562,500" with "6,622,500"

Page 1, line 12, replace "6,753,597" with "6,750,000"

Page 1, line 13, replace "\$6,562,500" with "\$6,622,500"

Page 1, line 15, remove "\$200,000 to the partnership project that is providing services"

Page 1, remove line 16

Page 1, line 17, remove ", and \$50,000 to"

Page 1, line 18, remove "the sacred child project"

Page 2, line 16, replace "2.5" with "1.7"

Page 2, line 18, replace "20" with "15"

Page 2, line 21, replace "60" with "67.3"

Page 2, line 24, replace "7.5" with "6"

Page 2, line 30, replace "a total of \$1,500,000 for the 1999-2001 biennium" with "\$127,500 for children's services coordinating committee administration for the 1999-2001 biennium and \$1,125,000"

Page 2, line 31, after "costs" insert "for the 1999-2001 biennium"

Page 3, line 6, replace "90" with "100"

Page 3, replace lines 9 through 10 with:

"SECTION 6. A new section to chapter 54-56 of the North Dakota Century Code is created and enacted as follows:

Operating fund balance. The children's services coordinating committee may not maintain an unobligated operating fund balance, excluding income received during the final thirty days of each fiscal year, which exceeds fifty thousand dollars or twenty percent of annual income allocated for its administrative costs and statewide grants, whichever is less, at the end of each fiscal year."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 324 - CHILDREN'S SERVICES COORDINATING COMMITTEE

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$70,784	(\$623)	\$70,161
Operating expenses	120,313	(62,974)	57,339
Grants	<u>6,562,500</u>	<u>60,000</u>	<u>6,622,500</u>
Total all funds	\$6,753,597	(\$3,597)	\$6,750,000
FTE	1.00	0.00	1.00

Detail of House changes to the executive budget includes:

	REDUCES KIDS COUNT FUNDING	REDUCES OPERATING EXPENSES	REDUCES SALARY INCREASE	ADDS HEALTH INSURANCE FUNDING	INCREASES GRANTS FUNDING	TOTAL HOUSE CHANGES
Salaries and wages			(\$908) ³	\$285		(\$623)
Operating expenses	(\$40,000) ¹	(\$22,974) ²				(62,974)
Grants					<u>\$60,000</u>	<u>60,000</u>
Total all funds	(\$40,000)	(\$22,974)	(\$908)	\$285	\$60,000	(\$3,597)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

House changes narrative:

¹ Removes funding added in the executive budget for preparing the annual Kids Count statistical report. The removal of these funds does not preclude the Children's Services Coordinating Committee from seeking Budget Section approval to provide a statewide grant to the Kids Count project for preparing this report.

² Reduces operating expenses to a level anticipated necessary for the 1999-2001 biennium.

³ Provides funding for the legislative salary increase package of 2 percent July 1, 1999, and 2 percent July 1, 2000.

Statewide grants specified in section 2 to the partnership project (\$200,000) and to the sacred child project (\$50,000) are removed to allow the Children's Services Coordinating Committee flexibility to determine statewide grants to recommend to the Budget Section for funding during the 1999-2001 biennium. The \$200,000 grant for the Native American alcohol and drug abuse education program remains specified in the bill.

This amendment changes the percentage allocation formula for the "Refinancing" funds anticipated to be received during the 1999-2001 biennium. The following schedule compares the percentage allocation used during the 1997-99 biennium, the 1999-2001 biennium executive budget, and the House Version:

	1997-99 BIENNIUM	1999-2001 EXECUTIVE BUDGET	HOUSE VERSION
Department of Human Services	10 percent up to a maximum of \$600,000	10 percent up to a maximum of \$750,000	10 percent up to a maximum of \$750,000
Children's Services Coordinating Committee - Administration	2.5 percent up to a maximum of \$150,000	2.5 percent up to a maximum of \$187,500	\$127,500 (estimated at 1.7 percent)
Participating entities generating federal funds	20 percent	20 percent	20 percent
Children's Services Coordinating Committee - Statewide grants	7.5 percent	7.5 percent	6 percent
Children's Services Coordinating Committee - Grants to regional and tribal children's services coordinating committees for administrative costs	\$1,080,000 (estimated at 18 percent)	20 percent	\$1,125,000 (estimated at 15 percent)
Regional and tribal children's services coordinating committees - Grants to providers	42 percent	40 percent	47.3 percent
Total	100 percent	100 percent	100 percent

The allocation of "Refinancing" funds that may be received in excess of the \$7.5 million is changed as follows:

	1997-99 BIENNIUM	1999-2001 EXECUTIVE BUDGET	HOUSE VERSION
Participating entities generating federal funds	20 percent	20 percent	20 percent
Children's Services Coordinating Committee - Statewide grants	10 percent	10 percent	0 percent
Regional and tribal children's services coordinating committees - Grants to providers	70 percent	70 percent	80 percent
Total	100 percent	100 percent	100 percent

A section is added creating a new section to NDCC Chapter 54-56 providing that the Children's Services Coordinating Committee may not maintain an unobligated operating fund balance, excluding income received during the final 30 days of each fiscal year which exceeds \$50,000 or 20 percent of annual income allocated for its administrative costs and statewide grants, whichever is less at the end of each fiscal year.

REPORT OF STANDING COMMITTEE

HB 1018: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1018 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "660,378" with "605,464"

Page 1, line 10, replace "794,197" with "790,697"

Page 1, line 12, replace "1,480,925" with "1,422,511"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 140 - OFFICE OF ADMINISTRATIVE HEARINGS

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$660,378	(\$54,914)	\$605,464
Operating expenses	794,197	(3,500)	790,697
Equipment	26,350		26,350
Major improvements			
Grants			
Total all funds	\$1,480,925	(\$58,414)	\$1,422,511
Less special funds	<u>1,480,925</u>	<u>(58,414)</u>	<u>1,422,511</u>
General fund	\$0	\$0	\$0

FTE 7.00 (1.00) 6.00

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY DIRECTORS MARKET ADJUSTMENT TO JANUARY 1, 2001 ¹	REMOVE VACANT FTE POSITION	REDUCE INFORMATION TECHNOLOGY CONTRACT SERVICES	TOTAL HOUSE CHANGES
Salaries and wages	(\$8,632)	\$1,995	(\$3,398)	(\$44,879)		(\$54,914)
Operating expenses					(\$3,500)	(3,500)
Equipment						
Major improvements						
Grants						
Total all funds	(\$8,632)	\$1,995	(\$3,398)	(\$44,879)	(\$3,500)	(\$58,414)
Less special funds	<u>(8,632)</u>	<u>1,995</u>	<u>(3,398)</u>	<u>(44,879)</u>	<u>(3,500)</u>	<u>(58,414)</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	(1.00)	0.00	(1.00)

House changes narrative:

¹ In addition to the two percent annual salary adjustment, provides a market adjustment of \$155.42/month for the director.

REPORT OF STANDING COMMITTEE

HB 1023: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1023 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1052: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (17 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1052 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1260: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1260 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "5-04-01,"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 5-04-01 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

5-04-01. Definitions. As used in this chapter, unless the context otherwise requires:

1. "Agreement" means one or more of the following:
 - a. A commercial relationship between a licensed beer wholesaler and a licensed brewer of a definite or indefinite duration which is not required to be evidenced in writing.
 - b. A relationship whereby the beer wholesaler is granted the right to offer and sell a brand or brands of beer offered by a brewer.
 - c. A relationship whereby the beer wholesaler, as an independent business, constitutes a component of a brewer's distribution system.
 - d. A relationship whereby the beer wholesaler's business is substantially associated with a brewer's brand or brands, designating the brewer.
 - e. A relationship whereby the beer wholesaler's business is substantially reliant on a brewer for the continued supply of beer.
 - f. A written or oral arrangement for a definite or indefinite period whereby a brewer grants a license to a beer wholesaler to use a brand, trade name, trademark, or service mark, and in which there is a community of interest in the marketing of goods or services at wholesale or retail.

2. "Ancillary business" means a business owned by a wholesaler, a stockholder of a wholesaler, or a partner of a wholesaler, the primary business of which is directly related to the transporting, storing, or marketing of the brewer's products with whom the wholesaler has an agreement.
3. "Beer wholesaler" or "wholesaler" means any licensee, as outlined in section 5-03-01, importing or causing to be imported into this state or purchasing or causing to be purchased within this state, any beer for sale or resale to retailers or wholesalers licensed pursuant to chapter 5-02 or 5-03, without regard to whether the business of the person is conducted under the terms of an agreement with a licensed brewer.
- 3: 4. "Brand" means any word, name, group of letters, symbol, or combination thereof, that is adopted and used by a brewer or importer to identify a specific beer product, and to distinguish that beer product from another beer product.
- 4: 5. "Brand extension" is any brand that incorporates all or a substantial part of the unique features of a preexisting brand of the same brewer or importer, and which relies to a significant extent on the goodwill associated with that preexisting brand.
- 5: 6. "Brewer" means every licensed brewer or importer of beer located within or without this state who enters into an agreement with any beer wholesaler licensed to do business in this state.
- 6: 7. "Person" means a natural person, corporation, limited liability company, partnership, trust, agency, or other entity as well as the individual officers, directors, or other persons in active control of the activities of each such entity. "Person" also includes heirs, assigns, personal representatives, conservators, and guardians.
- 7: 8. "Territory" or "sales territory" means the area of primary sales responsibility designated by any agreement between any beer wholesaler and brewer for the brand or brands of any brewer."

Page 1, line 11, remove "enter into"

Page 1, line 12, remove "any agreement or" and overstrike "do any illegal act" and insert immediately thereafter "enter any agreement or take any action that would violate any law or rule of this state"

Page 1, line 19, after "specific" insert ", confidential"

Page 2, line 5, remove the overstrike over ", but is"

Page 2, line 6, remove the overstrike over "not limited to,"

Page 2, line 15, after the underscored period insert "If a wholesaler initiates a civil action, the brewer bears the burden of proving the existence of good cause after a prima facie showing by the wholesaler that good cause does not exist."

Page 2, line 24, remove the overstrike over ", but is not limited to,"

Page 2, line 25, replace "any and all assets" with "the wholesaler's business with respect to the terminated brand or brands", after "including" insert "the value of any", replace "businesses" with "business", and remove "used in"

Page 2, line 26, remove "distributing the brewers' products" and after "business" insert "or ancillary business. The value of the wholesaler's business may not exceed the wholesaler's actual damages"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1296, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO

PASS (18 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1296 was placed on the Sixth order on the calendar.

Page 3, line 12, replace "\$2,044,763" with "\$1,856,603"

Page 3, line 14, after the period insert "The bureau may employ no more than seven additional full-time equivalent positions for the workplace safety and loss prevention programs and may contract for the provision of risk management services."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1345: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1345 was placed on the Sixth order on the calendar.

Page 1, line 19, after "fund" insert ". The school nursing grant fund may be appropriated for grants for school nursing projects that are in compliance with sections 15-47-49 and 15-47-50"

Page 1, line 23, replace "school districts" with "public health units" and after "projects" insert "that develop agreements with schools or school districts"

Page 1, line 24, replace "school district" with "public health unit"

Page 2, line 3, replace "school district" with "public health unit"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1361: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1361 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1429: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1429 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1431: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1431 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1466: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1466 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "; and to declare an emergency"

Page 1, line 6, after "funds" insert ", which exceed one and one-half percent of the funds appropriated by the legislative assembly to the grants-foundation aid and transportation line items,"

Page 1, remove line 9

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1476: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1476 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "\$2,000,000" with "\$1,000,000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3017: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HCR 3017 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "six months" with "thirty days"

Page 1, line 18, replace "six months" with "thirty days"

Page 1, line 20, replace "six months" with "thirty days"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3020: Judiciary Committee (Rep. DeKrey, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3020 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3032: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HCR 3032 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3036: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3036 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3043: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HCR 3043 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3048: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HCR 3048 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2033: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2033 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2034: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2034 was placed on the Fourteenth order on the calendar.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2006, SB 2020, SB 2021, SB 2022, SB 2024.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2030, SB 2055, SB 2127, SB 2220, SB 2275, SB 2284, SB 2286, SB 2347, SB 2350, SB 2366, SB 2382.

FIRST READING OF SENATE BILLS

SB 2006: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the state tax commissioner and for payment of state reimbursement under the homestead tax credit; to amend and reenact section 57-01-04 and subsection 2 of section 57-01-13 of the North Dakota Century Code, relating to the salary of the state tax commissioner and the payment of fees for services rendered by a collection or credit agency; to provide a continuing appropriation for the payment of fees for services rendered by a collection or credit agency; and to provide a contingent expiration date.

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

SB 2020: A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society.

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

SB 2021: A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department and the International Peace Garden.
Was read the first time and referred to the **Appropriations Committee**.

SB 2022: A BILL for an Act to provide an appropriation for defraying the expenses of the tourism department.
Was read the first time and referred to the **Appropriations Committee**.

SB 2024: A BILL for an Act to provide an appropriation for defraying the expenses of the workers compensation bureau and its divisions.
Was read the first time and referred to the **Appropriations Committee**.

SB 2030: A BILL for an Act to provide an appropriation for the construction of a building on the university of North Dakota campus; and to declare an emergency.
Was read the first time and referred to the **Appropriations Committee**.

SB 2055: A BILL for an Act to amend and reenact subsection 1 of section 54-35-10 of the North Dakota Century Code, relating to compensation paid to members of the legislative assembly for attending sessions of the legislative council and its committees.
Was read the first time and referred to the **Appropriations Committee**.

SB 2127: A BILL for an Act to amend and reenact section 39-21-41.2 of the North Dakota Century Code, relating to use of seatbelts.
Was read the first time and referred to the **Transportation Committee**.

SB 2220: A BILL for an Act to authorize construction of a winter sports facility at the university of North Dakota; and to declare an emergency.
Was read the first time and referred to the **Appropriations Committee**.

SB 2275: A BILL for an Act to create and enact a new subsection to section 43-25-04 of the North Dakota Century Code, relating to the practice of massage; to amend and reenact subsection 3 of section 43-25-04 of the North Dakota Century Code, relating to physical therapist assistants; and to declare an emergency.
Was read the first time and referred to the **Human Services Committee**.

SB 2284: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to reduction of the income tax marriage penalty; to provide an effective date; and to provide an expiration date.
Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2286: A BILL for an Act to create and enact a new section to chapter 43-23.3 and a new subsection to section 43-23.3-03 of the North Dakota Century Code, relating to confidentiality of real estate appraiser records.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2347: A BILL for an Act to create and enact two new sections to chapter 18-11 of the North Dakota Century Code, relating to alternate firefighters relief association plan benefits; to provide for retroactive application; to provide an expiration date; and to declare an emergency.
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

SB 2350: 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 requirements for guides or outfitters; and to amend and reenact subsection 14 of section 20.1-01-02 of the North Dakota Century Code, relating to guides and outfitters.
Was read the first time and referred to the **Natural Resources Committee**.

SB 2366: A BILL for an Act to amend and reenact subsection 14 of section 23-29-03 of the North Dakota Century Code, relating to the definition of solid waste.
Was read the first time and referred to the **Natural Resources Committee**.

SB 2382: A BILL for an Act to amend and reenact subsection 25 of section 57-15-06.7, subsection 26 of section 57-15-10, and subsection 3 of section 57-15-56 of the North Dakota Century Code, relating to the mill levy for senior citizen programs; and to provide an effective date.
Was read the first time and referred to the **Finance and Taxation Committee**.

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

LANCE HAGEN, Chief Clerk