

JOURNAL OF THE HOUSE

Fifty-sixth Legislative Assembly

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Bismarck, February 12, 1999

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

The prayer was offered by Pastor Jim McEachran, Bethel Assembly Church, Mandan.

The roll was called and all members were present except Representatives Grande, Mahoney, and Stefonowicz.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to HB 1019, HB 1233, HB 1256, HB 1266, HB 1274, HB 1370, HB 1383, HB 1402, HB 1405, HB 1441, HB 1451, HB 1462, HB 1465, HB 1490, and HB 1492 be adopted, which motion prevailed.

HB 1019, HB 1233, HB 1256, HB 1266, HB 1274, HB 1370, HB 1383, HB 1402, HB 1405, HB 1441, HB 1451, HB 1462, HB 1465, HB 1490, and HB 1492, as amended, were placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3008: A concurrent resolution for the amendment of section 25 of article XI of the Constitution of North Dakota, relating to participation by the state of North Dakota in a multistate lottery.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 22 YEAS, 75 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Delmore; Eckre; Ekstrom; Froelich; Grumbo; Gunter; Hawken; Jensen; Johnson, D.; Kliniske; Maragos; Martinson; Meyer; Mickelson; Nelson; Nottestad; Porter; Schmidt; Thoreson, L.; Timm; Winrich; Speaker Wald

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gulleon; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Metcalf; Monson; Mueller; Nicholas; Nichols; Niemeier; Nowatzki; Pollert; Poolman; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thorpe; Tollefson; Warner; Weisz; Wentz; Wikenheiser

ABSENT AND NOT VOTING: Mahoney

HCR 3008 was declared lost.

SECOND READING OF HOUSE BILL

HB 1023: A BILL for an Act to create and enact a new section to chapter 28-32 of the North Dakota Century Code, relating to expiration of administrative rules; 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 26 YEAS, 70 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Belter; Bernstein; Brekke; Brusegaard; Byerly; Carlson; DeKrey; Delzer; Devlin; Drovdal; Froelich; Grande; Grosz; Gunter; Kempenich; Lloyd; Mickelson; Nelson; Pollert; Price; Rennerfeldt; Sandvig; Timm; Tollefson; Weisz; Speaker Wald

NAYS: Aarsvold; Berg; Boehm; Boucher; Brandenburg; Carlisle; Clark; Cleary; Dalrymple; Delmore; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gullerson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Porter; Renner; Rose; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Mahoney; Schmidt

HB 1023 was declared lost.

SECOND READING OF HOUSE BILL

HB 1052: A BILL for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to income limitations to qualify for the homestead credit for persons sixty-five years of age or older with limited income; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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; 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; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Drovdal; Mahoney; Schmidt

HB 1052 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1361: A BILL for an Act to amend and reenact section 15-21-01 of the North Dakota Century Code, or in the alternative to amend and reenact section 15.1-02-01 of the North Dakota Century Code, relating to qualifications for the superintendent of public instruction.

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

YEAS: Belter; Boehm; Brandenburg; Brusegaard; Byerly; Carlson; Clark; DeKrey; Delzer; Devlin; Dorso; Drovdal; Froseth; Grande; Grosz; Kelsch, R.; Kempenich; Klein; Lloyd; Porter; Price; Renner; Rennerfeldt; Thoreson, B.; Timm; Weisz; Speaker Wald

NAYS: Aarsvold; Berg; Bernstein; Boucher; Brekke; Carlisle; Cleary; Dalrymple; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gorder; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kerzman; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Tollefson; Warner; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Mahoney

HB 1361 was declared lost.

SECOND READING OF HOUSE BILL

HB 1429: A BILL for an Act to amend and reenact section 53-06.1-07.3 of the North Dakota Century Code, relating to calcutta participants.

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 63 YEAS, 34 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Cleary; Delmore; Dorso; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grumbo; Gulleson; Haas; Hawken; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kerzman; Kliniske; Kroeber; Lemieux; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Renner; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Aarsvold; Belter; Berg; Boucher; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Drovdal; Fairfield; Gorder; Grande; Grosz; Gunter; Hanson; Jensen; Kelsch, R.; Kempenich; Klein; Klemin; Koppang; Koppelman; Lloyd; Niemeier; Poolman; Porter; Price; Rennerfeldt; Warner; Weisz

ABSENT AND NOT VOTING: Mahoney

HB 1429 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1431: A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-03 of the North Dakota Century Code, relating to calcuttas.

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 66 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Cleary; DeKrey; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grumbo; Gunter; Haas; Hawken; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Johnson, N.; Keiser; Kempenich; Kerzman; Kliniske; Koppelman; Kroeber; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Porter; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Aarsvold; Belter; Berg; Bernstein; Boucher; Carlisle; Carlson; Clark; Dalrymple; Delmore; Delzer; Devlin; Gorder; Grande; Grosz; Gulleson; Hanson; Jensen; Kelsch, R.; Kelsh, S.; Klein; Klemin; Koppang; Lemieux; Lloyd; Niemeier; Poolman; Price; Tollefson; Warner

ABSENT AND NOT VOTING: Fairfield; Mahoney

HB 1431 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1461 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1472: A BILL for an Act to amend and reenact section 14-08.1-05.1 of the North Dakota Century Code, relating to participation in work activities.

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 38 YEAS, 58 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Eckre; Ekstrom; Froelich; Glassheim; Grumbo; Gulleson; Hanson; Hawken; Hoffner; Jensen; Kelsh, S.; Kempenich; Kerzman; Kroeber; Lemieux; Lloyd; Maragos; Martinson; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wentz; 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; Henegar; Herbel; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Klein; Klemm; Kliniske; Koppang; Koppelman; Lundgren; Mickelson; Monson; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Fairfield; Mahoney

HB 1472 was declared lost.

SECOND READING OF HOUSE BILL

HB 1477: A BILL for an Act to amend and reenact subsection 5 of section 15-27.2-04 of the North Dakota Century Code, or in the alternative to amend and reenact section 15.1-12-05 of the North Dakota Century Code, relating to school district annexation proceedings.

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: Kempenich; Mickelson

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; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; 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: Gulleson; Mahoney

HB 1477 was declared lost.

SECOND READING OF HOUSE BILL

HB 1479: A BILL for an Act to amend and reenact subdivision u of subsection 1 of section 50-09-29 of the North Dakota Century Code, relating to requirements for the administration of the temporary assistance for needy families program.

MOTION

REP. KEMPENICH MOVED the previous question, which motion prevailed.

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 35 YEAS, 60 NAYS, 0 EXCUSED, 3 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; Maragos; Martinson; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Stefonowicz; Sveen; Thorpe; Warner; Wentz; 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; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Mahoney; Nicholas; Schmidt

HB 1479 was declared lost.

SECOND READING OF HOUSE BILL

HB 1480: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax tuition credit for individuals, estates, and trusts for costs of tuition and textbooks for attendance by a dependent at an elementary or secondary school in this state; 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 18 YEAS, 77 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bernstein; Boehm; Brusegaard; Carlson; Cleary; Delzer; Froelich; Grande; Grosz; Kerzman; Klein; Koppelman; Lemieux; Nelson; Renner; Sandvig; Thoreson, B.; Speaker Wald

NAYS: Aarsvold; Belter; Berg; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Clark; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klemin; Kliniske; Koppang; Kroeber; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Mahoney; Nicholas; Schmidt

HB 1480 was declared lost.

SECOND READING OF HOUSE BILL

HB 1481: A BILL for an Act to amend and reenact sections 57-15-31 and 57-39.2-26.1 of the North Dakota Century Code, relating to adjustments of property tax levies and allocations to the state aid distribution fund from sales, use, and motor vehicle excise tax revenues; 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 22 YEAS, 70 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Ekstrom; Fairfield; Froelich; Grumbo; Gulleston; Huether; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mueller; Nichols; Niemeier; Nowatzki; Solberg; Stefonowicz; Warner; Winrich

NAYS: Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Drovdal; Eckre; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein;

Klemin; Kliniske; Koppang; Koppelman; Lloyd; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Bernstein; Clark; Dorso; Mahoney; Nicholas; Schmidt

HB 1481 was declared lost.

SECOND READING OF HOUSE BILL

HB 1484: A BILL for an Act to provide an appropriation for the pride of dakota program, developing standards for wheat quality, monitoring agricultural production standards, research, and the promotion of agricultural products.

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 29 YEAS, 67 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Mahoney; Nicholas

HB 1484 was declared lost.

SECOND READING OF HOUSE BILL

HB 1485: A BILL for an Act to create and enact a new section to chapter 15-38 of the North Dakota Century Code, relating to teacher certification requirements.

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 17 YEAS, 78 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Belter; Boehm; Brandenburg; Brusegaard; Byerly; Carlson; Cleary; Delzer; Grande; Grosz; Klein; Renner; Rennerfeldt; Sandvig; Thoreson, B.; Timm; Speaker Wald

NAYS: Aarsvold; Berg; Boucher; Brekke; Carlisle; Clark; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rose; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Bernstein; Mahoney; Nicholas

HB 1485 was declared lost.

SECOND READING OF HOUSE BILL

HB 1486: A BILL for an Act to create and enact a new subsection to section 54-52-04, a new subsection to section 54-52.1-01, and five new sections to chapter 54-52.1 of the North Dakota Century Code, relating to the expansion of the uniform group insurance program to allow participation by permanent and temporary employees of private sector employers and by any other person who is otherwise without health insurance coverage; to amend and reenact section 54-52.1-02 of the North Dakota Century Code, relating to subgroups under the uniform group insurance program; 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 34 YEAS, 61 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boehm; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleston; Hoffner; Jensen; Johnson, D.; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Maragos; Metcalf; Meyer; Mueller; Niemeier; Nowatzki; Renner; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Wentz; Winrich

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

ABSENT AND NOT VOTING: Bernstein; Mahoney; Nicholas

HB 1486 was declared lost.

SECOND READING OF HOUSE BILL

HB 1487: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a tax exemption for farm machinery parts; to amend and reenact subsection 2 of section 57-39.2-02.1 and subsection 2 of section 57-40.2-02.1 of the North Dakota Century Code, relating to a tax exemption for farm machinery parts; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 80 YEAS, 13 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Byerly; Carlisle; Carlson; Clark; Grande; Jensen; Klemin; Kliniske; Martinson; Poolman; Porter; Thoreson, L.; Winrich

ABSENT AND NOT VOTING: Bernstein; Mahoney; Maragos; Nicholas; Svedjan

HB 1487 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1495: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 and chapter 57-38.6 of the North Dakota Century Code, relating to an agricultural cooperative investment income tax credit; 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 33 YEAS, 61 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; 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; Martinson; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Bernstein; DeKrey; Mahoney; Nicholas

HB 1495 was declared lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3011: A concurrent resolution directing the Legislative Council to study state agency office space needs to determine the feasibility and desirability of transferring state agencies or state employees to rural areas.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 77 YEAS, 17 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Boehm; Boucher; Brandenburg; Brekke; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich

NAYS: Belter; Brusegaard; Byerly; Carlisle; Carlson; Clark; Eckre; Gunter; Henegar; Johnson, N.; Keiser; Klemin; Lloyd; Martinson; Sandvig; Thoreson, B.; Speaker Wald

ABSENT AND NOT VOTING: Bernstein; Drovdal; Mahoney; Nicholas

HCR 3011 was declared adopted.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3015: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing house subdistricts within senatorial districts when the legislative assembly redistricts after the 2000 census.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 66 YEAS, 27 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Cleary; Delmore; Devlin; Disrud; Dorso; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gulleston; Gunter; Haas; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lemieux; Lundgren; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Rose;

Sandvig; Schmidt; Severson; Svedjan; Sveen; Thoreson, L.; Thorpe; Tollefson; Warner; Wentz; Wikenheiser; Winrich

NAYS: Belter; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Eckre; Grande; Grosz; Hanson; Henegar; Keiser; Kempenich; Koppelman; Lloyd; Martinson; Price; Renner; Rennerfeldt; Solberg; Stefonowicz; Thoreson, B.; Timm; Weisz; Speaker Wald

ABSENT AND NOT VOTING: Bernstein; Drovdal; Kelsh, S.; Mahoney; Nicholas

HCR 3015 was declared adopted.

MOTION

REP. DORSO MOVED that HCR 3020 be placed at the bottom of the calendar, which motion prevailed.

MOTION

REP. DORSO MOVED that the House stand in recess until 10:15 a.m., which motion prevailed.

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

SECOND READING OF HOUSE CONCURRENT RESOLUTION

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

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAY, 0 EXCUSED, 7 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; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lundgren; Maragos; 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; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Galvin

ABSENT AND NOT VOTING: Drovdal; Hawken; Lemieux; Lloyd; Mahoney; Nicholas; Warner

HCR 3021 was declared adopted.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3022: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing house subdistricts within senatorial districts when the Legislative Assembly redistricts after the 2000 census.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 61 YEAS, 32 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Cleary; Dalrymple; Delmore; Devlin; Disrud; Dorso; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grumbo; Haas; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kerzman; Klemm; Kliniske; Koppang; Kroeber; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rose; Sandvig; Schmidt; Severson; Svedjan; Sveen; Thoreson, L.; Tollefson; Warner; Wentz; Wikenheiser; Winrich

NAYS: Aarsvold; Belter; Berg; Bernstein; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Eckre; Grande; Grosz; Gulleston; Gunter; Hanson; Huether; Keiser; Kempenich; Klein; Koppelman; Lloyd; Niemeier; Price; Rennerfeldt; Solberg; Stefonowicz; Thoreson, B.; Thorpe; Timm; Weisz; Speaker Wald

ABSENT AND NOT VOTING: Drovdal; Hawken; Lemieux; Mahoney; Nicholas

HCR 3022 was declared adopted.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3025: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to the creation of a rainy day fund.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 30 YEAS, 64 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brusegaard; Cleary; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleston; Hoffner; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Maragos; Nichols; Niemeier; Nottestad; Rose; Sandvig; Schmidt; Stefonowicz; Sveen; Thorpe; Wentz; Winrich

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

ABSENT AND NOT VOTING: Drovdal; Hawken; Mahoney; Nicholas

HCR 3025 was declared lost.

MOTION

REP. DORSO MOVED that HCR 3026, HCR 3028, HCR 3032, HCR 3034, HCR 3036, HCR 3040, HCR 3043, and HCR 3048 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1206: A BILL for an Act to amend and reenact section 15-47-33 of the North Dakota Century Code, or in the alternative to amend and reenact section 15.1-06-04 of the North Dakota Century Code, relating to requirements for full days of instruction.

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, 68 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Boucher; Cleary; Eckre; Ekstrom; Fairfield; Froelich; Gorder; Hanson; Hoffner; Kelsh, S.; Kerzman; Koppelman; Kroeber; Lemieux; Lundgren; Martinson; Niemeier; Nottestad; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Winrich

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Lloyd; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Carlson; Hawken; Mahoney; Nicholas; Sveen

HB 1206 was declared lost.

SECOND READING OF HOUSE BILL

HB 1220: A BILL for an Act to amend and reenact section 15-47-33 of the North Dakota Century Code, or in the alternative to amend and reenact section 15.1-06-04 of the North Dakota Century Code, relating to requirements for full days of instruction.

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 35 YEAS, 59 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Dorso; Froseth; Galvin; Grande; Grosz; Haas; Henegar; Kelsch, R.; Kempenich; Klein; Koppelman; Lemieux; Nelson; Pollert; Porter; Renner; Rennerfeldt; Thoreson, B.; Thoreson, L.; Timm; Weisz; Wikenheiser; Speaker Wald

NAYS: Aarsvold; Boucher; Brekke; Cleary; Dalrymple; Delmore; Devlin; Disrud; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Gulleson; Gunter; Hanson; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kerzman; Klemm; Kliniske; Koppang; Kroeber; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Price; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thorpe; Tollefson; Warner; Wentz; Winrich

ABSENT AND NOT VOTING: Hawken; Mahoney; Nicholas; Sveen

HB 1220 was declared lost.

SECOND READING OF HOUSE BILL

HB 1231: A BILL for an Act to provide for contingent per student payments; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 37 YEAS, 57 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Gulleson; Hanson; Herbel; Hoffner; Huether; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Maragos; Martinson; 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; Grande; Gunter; Haas; Henegar; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemm; Kliniske; Koppang; Koppelman; Lloyd; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Grosz; Hawken; Mahoney; Nicholas

HB 1231 was declared lost.

SECOND READING OF HOUSE BILL

HB 1340: A BILL for an Act to provide an appropriation for contingent per student payments and supplemental salary increases for certain school district employees.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 36 YEAS, 56 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Guleson; Hanson; Herbel; Hoffner; Huether; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Maragos; Martinson; Metcalf; Mueller; Nichols; Niemeier; Nowatzki; Rose; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Winrich

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

ABSENT AND NOT VOTING: Brekke; Cleary; Disrud; Hawken; Mahoney; Nicholas

HB 1340 was declared lost.

SECOND READING OF HOUSE BILL

HB 1376: A BILL for an Act to provide for contingent per student payments and supplemental salary increases for certain school district employees; 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 NOT PASS, the roll was called and there were 37 YEAS, 58 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brekke; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Guleson; Hanson; Herbel; Hoffner; Huether; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Maragos; Martinson; Metcalf; Mueller; Nichols; Niemeier; Nowatzki; Rose; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Winrich

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

ABSENT AND NOT VOTING: Hawken; Mahoney; Nicholas

HB 1376 was declared lost.

SECOND READING OF HOUSE BILL

HB 1189: A BILL for an Act to provide an appropriation for additional per student payments; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 40 YEAS, 53 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Carlisle; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Guleson; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Kelsh, S.; Kerzman; Lundgren; Maragos; Martinson; Metcalf; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Rose; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wentz; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Meyer; Mickelson; Monson; Nelson; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Sandvig; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Hawken; Kroeber; Lemieux; Mahoney; Nicholas

HB 1189 was declared lost.

SECOND READING OF HOUSE BILL

HB 1466: A BILL for an Act to provide for contingent per student payments.

MOTION

REP. DEKREY MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 37 YEAS, 58 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Hawken; Mahoney; Nicholas

Engrossed HB 1466 was declared lost.

SECOND READING OF HOUSE BILL

HB 1418: A BILL for an Act to amend and reenact section 48-01.1-06 of the North Dakota Century Code, relating to public improvement contract bids.

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, 2 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; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; 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.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Glassheim; Thorpe

ABSENT AND NOT VOTING: Hawken; Mahoney; Nicholas

HB 1418 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1433: A BILL for an Act to create and enact a new section to chapter 39-06.2 of the North Dakota Century Code, relating to commercial drivers' licenses.

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, 2 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; Gulleston; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Kelsch, R.; Price

ABSENT AND NOT VOTING: Hawken; Mahoney; Nicholas

HB 1433 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1489: A BILL for an Act to amend and reenact section 15-47-33 of the North Dakota Century Code, or in the alternative to amend and reenact section 15.1-06-04 of the North Dakota Century Code, relating to length of the school year.

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, 78 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Cleary; Froelich; Gorder; Hoffner; Keiser; Kerzman; Klemin; Lemieux; Martinson; Meyer; Niemeier; Rose; Stefanowicz; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Klein; Kliniske; Koppang; Koppelman; Lloyd; Lundgren; Maragos; Metcalf; Mickelson; Monson; Mueller; Nelson; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Solberg; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Hawken; Kempenich; Kroeber; Mahoney; Nicholas

HB 1489 was declared lost.

REQUEST

REP. KROEBER REQUESTED that the record show that he was present and intended to vote YEA on HB 1489, which request was granted.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3044: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of supporting development of the state's wind energy resources.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 10 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gunter; Haas;

Hanson; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich

NAYS: Aarsvold; Belter; Byerly; Carlson; Grande; Huether; Kerzman; Niemeier; Solberg; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Gulleson; Hawken; Kempenich; Lloyd; Mahoney; Nicholas

HCR 3044 was declared adopted.

SECOND READING OF HOUSE BILL

HB 1005: A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; 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: Boucher; Gulleson; Hawken; Kempenich; Mahoney; Nicholas

Engrossed HB 1005 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1013: A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boehm; 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; Gulleson; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lemieux; Lloyd; Lundgren; 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: Bernstein; Boucher; Hawken; Koppelman; Mahoney; Maragos; Nicholas

Engrossed HB 1013 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1296: A BILL for an Act to create and enact a new section to chapter 65-03 and a new section to chapter 65-04 of the North Dakota Century Code, relating to protecting the health of employees through workplace safety programs and to workers' compensation premium calculation programs; to amend and reenact sections 65-02-13.1 and 65-04-17.1 of the North Dakota Century Code, relating to expenditures by the workers compensation bureau for extraterritorial coverage and other states' insurance and to retrospective rating; to provide an appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 5 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Gulleason; Hoffner; Rose

ABSENT AND NOT VOTING: Boucher; Hawken; Koppelman; Mahoney; Nicholas

Engrossed HB 1296 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1040: A BILL for an Act to amend and reenact sections 61-04.1-03, 61-04.1-08, 61-04.1-09, 61-04.1-20, 61-04.1-21, 61-04.1-38, and 61-04.1-39 of the North Dakota Century Code, relating to hail suppression pilot operations by the atmospheric resource board; and to repeal section 61-04.1-03.1 of the North Dakota Century Code, relating to the transition from the weather modification board to the atmospheric resource board.

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 62 YEAS, 32 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Brekke; Cleary; DeKrey; Delmore; Disrud; Dorso; Drovdal; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grumbo; Gunter; Haas; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Koppang; Koppelman; Lemieux; Maragos; Martinson; Metcalf; Meyer; Mickelson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Porter; Price; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Belter; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; Delzer; Devlin; Eckre; Gorder; Grande; Grosz; Gulleason; Hanson; Henegar; Kliniske; Kroeber; Lloyd; Lundgren; Monson; Pollert; Renner; Rennerfeldt; Rose; Sandvig; Sveen; Thoreson, B.; Tollefson

ABSENT AND NOT VOTING: Boucher; Hawken; Mahoney; Nicholas

Engrossed HB 1040 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1345 and HB 1373 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1128: A BILL for an Act to amend and reenact section 24-02-03.3 of the North Dakota Century Code, relating to the central vehicle management system.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; 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; Lloyd; Lundgren; Maragos; 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: Boucher; Hawken; Lemieux; Mahoney; Nicholas

Engrossed HB 1128 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1488: A BILL for an Act to amend and reenact subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm residence property tax exemption; 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 NOT PASS, the roll was called and there were 34 YEAS, 57 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Brekke; Brusegaard; Cleary; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Haas; Hanson; Hoffner; Johnson, D.; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Metcalf; Meyer; Nelson; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Thorpe; Warner; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Drovda; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Henegar; Herbel; Huether; Jensen; Johnson, N.; Keiser; Kelsch, R.; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Maragos; Martinson; Mickelson; Monson; Mueller; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Dorso; Gulleston; Hawken; Kempenich; Mahoney; Nicholas

Engrossed HB 1488 was declared lost.

SECOND READING OF HOUSE BILL

HB 1006: A BILL for an Act to provide an appropriation for defraying the expenses of the aeronautics commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner;

Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; 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: Boucher; Hawken; Kempenich; Mahoney; Nicholas

Engrossed HB 1006 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3018: A concurrent resolution to create and enact a new section to article I of the Constitution of North Dakota, relating to the right to hunt, trap, and fish.

ROLL CALL

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

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullekson; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; 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

NAYS: Byerly; Jensen

ABSENT AND NOT VOTING: Boucher; Hawken; Mahoney; Nicholas

Engrossed HCR 3018 was declared adopted.

SECOND READING OF HOUSE BILL

HB 1008: A BILL for an Act to provide an appropriation for defraying the expenses of the department of banking and financial institutions; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullekson; Gunter; Haas; 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; Maragos; 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; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Hanson; Hawken; Mahoney; Nicholas; Niemeier

Engrossed HB 1008 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1014: A BILL for an Act to provide an appropriation for defraying the expenses of the children's services coordinating committee; to provide a statement of legislative intent; 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.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; 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; Maragos; 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; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Hanson; Hawken; Mahoney; Nicholas; Niemeier

Engrossed HB 1014 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1018: A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings.

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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; 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; Maragos; 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: Boucher; Hawken; Mahoney; Nicholas

Engrossed HB 1018 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts and an appropriation of funds from the cultural endowment fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; 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; Maragos; 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; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: DeKrey; Warner; Weisz

ABSENT AND NOT VOTING: Boucher; Hawken; Mahoney; Nicholas

Engrossed HB 1010 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1260: A BILL for an Act to amend and reenact sections 5-04-01, 5-04-02, 5-04-04, subsection 1 of section 5-04-07, sections 5-04-08, and 5-04-13 of the North Dakota Century Code, relating to beer wholesaler and brewer relationships.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lloyd; Lundgren; Maragos; 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: Boucher; Hawken; Koppelman; Lemieux; Mahoney; Nicholas

Engrossed HB 1260 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS AND SENATE CONCURRENT RESOLUTION ON CONSENT CALENDAR

HCR 3013: A concurrent resolution directing the Legislative Council to study basinwide water management in the Red River Valley.

HCR 3023: A concurrent resolution requesting that the Congress of the United States propose for ratification by the states an amendment to the Constitution of the United States to provide for abolition of the electoral college system and adoption of direct popular vote for election of the President and Vice President.

HCR 3027: A concurrent resolution directing the Legislative Council to study heritage tourism and the relationships among the State Historical Society, Parks and Recreation Department, Tourism Department, Department of Economic Development and Finance, and private sector promoters and developers of heritage tourism in the state.

HCR 3039: A concurrent resolution urging Congress to enact legislation to return adequate funds to states to fund the employment security system and give a fair return to employers for the taxes employers pay under the Federal Unemployment Tax Act.

HCR 3041: A concurrent resolution urging the Environmental Protection Agency to reduce gasoline sulfur levels to provide the flexibility of a regional approach that will maximize air quality benefits and to propose regulations reducing vehicle admissions in recognition that fuels and vehicles work in tandem and neither fuels nor vehicles can be addressed in isolation.

HCR 3046: A concurrent resolution directing the Legislative Council study the financial challenges facing rural hospitals in this state, including the concerns relating to reimbursement of hospitals for medical services.

HCR 3047: A concurrent resolution expressing the support for the privately funded construction and operation of the North American wildlife enforcement memorial museum and educational center at the International Peace Garden.

HCR 3050: A concurrent resolution directing the Legislative Council to study methods of identifying and providing appropriate services to gifted students.

SCR 4004: A concurrent resolution directing the Legislative Council to study the possibility of creating an incentive package to assist rural communities and nursing facilities in closing or significantly reducing bed capacity and providing alternative long-term care services.

The question being on the adoption of the resolutions, which have been read.

HCR 3013, HCR 3023, HCR 3027, HCR 3039, HCR 3041, HCR 3046, HCR 3047, HCR 3050, and SCR 4004 were declared adopted on a voice vote.

ANNOUNCEMENT BY THE SPEAKER

REP. WALD ANNOUNCED that the House would stand in recess until 1:30 p.m.

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

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Don Loder

MOTION

REP. GORDER MOVED that the House reconsider its action whereby HB 1413 failed to pass for want of a Constitutional majority.

REQUEST

REP. WARNER REQUESTED a recorded roll call vote on the motion to reconsider the action whereby HB 1413 failed to pass for want of a Constitutional majority, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby HB 1413 failed to pass for want of a Constitutional majority, the roll was called and there were 58 YEAS, 33 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Brekke; Brusegaard; Clark; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Galvin; Gorder; Haas; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Monson; Mueller; Nelson; Nichols; Nottestad; Nowatzki; Poolman; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thorpe; Timm; Tollefson; Warner; Wentz; Winrich; Speaker Wald

NAYS: Belter; Bernstein; Boehm; Brandenburg; Byerly; Carlisle; Carlson; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovda; Froseth; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Kempenich; Klein; Mickelson; Niemeier; Pollert; Porter; Price; Renner; Rennerfeldt; Severson; Thoreson, L.; Weisz; Wikenheiser

ABSENT AND NOT VOTING: Boucher; Froelich; Glassheim; Hawken; Mahoney; Meyer; Nicholas

So the motion to reconsider the action whereby HB 1413 failed to pass for want of a Constitutional majority prevailed.

SECOND READING OF HOUSE BILL

HB 1413: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to allowing the seed capital investment tax credit on the short-form income tax return; and to amend and reenact section 57-38.5-03 of

the North Dakota Century Code, relating to allowing the seed capital investment tax credit on the short-form income tax return; 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 38 YEAS, 54 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Clark; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Glasheim; Gorder; Hoffner; Jensen; Johnson, N.; Kelsh, S.; Kerzman; Kliniske; Kroeber; Lemieux; Lundgren; Metcalf; Mueller; Niemeier; Nottestad; Nowatzki; Poolman; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thoreson, B.; Thorpe; Warner; Wentz; Winrich; Speaker Wald

NAYS: Belter; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Froseth; Galvin; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Henegar; Herbel; Huether; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Koppang; Koppelman; Lloyd; Maragos; Martinson; Mickelson; Monson; Nelson; Nichols; Pollert; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas

HB 1413 was declared lost.

SECOND READING OF SENATE BILL

SB 2090: A BILL for an Act to repeal section 20.1-04-10 of the North Dakota Century Code, relating to the shell-holding capacity of shotguns used in taking game birds; 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 NOT PASS, the roll was called and there were 88 YEAS, 4 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gulleon; 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; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wikenheiser; Winrich; Speaker Wald

NAYS: Bernstein; Devlin; Severson; Wentz

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas

Engrossed SB 2090 passed, the title was agreed to, and the emergency clause was declared carried.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Thorpe, Timm and Sen. Watne introduced:

(Approved by the Delayed Bills Committee)

HCR 3056: A concurrent resolution congratulating Ms. Kimberly Pettersen on being named the state's top high school student volunteer in The Prudential Spirit of Community Awards.

Was read the first time.

MOTION

REP. DORSO MOVED that the rules be suspended, that HCR 3056 not be printed, not be referred to committee, but be read in title only, not be printed in the Journal, and placed on the calendar for second reading and final passage and messaged to the Senate immediately, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3056: A concurrent resolution congratulating Ms. Kimberly Pettersen on being named the state's top high school student volunteer in The Prudential Spirit of Community Awards.

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

HCR 3056 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILL

HB 1169: A BILL for an Act to create and enact a new section to chapter 49-21 of the North Dakota Century Code, relating to unauthorized telecommunications service; to amend and reenact section 49-02-01.1 of the North Dakota Century Code, relating to jurisdiction of the public service commission; to provide a penalty; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glasheim; 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; Maragos; Martinson; Metcalf; 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: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas

Engrossed HB 1169 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1144: A BILL for an Act to create and enact section 10-04-08.4 of the North Dakota Century Code, relating to filing requirements for federal covered securities; and to amend and reenact sections 10-04-02, subsections 4 and 5 of section 10-04-03, sections 10-04-04, 10-04-05, 10-04-06, 10-04-07.1, 10-04-08, 10-04-08.1, 10-04-08.2, 10-04-08.3, 10-04-09, 10-04-10, 10-04-10.1, 10-04-10.2, 10-04-10.3, 10-04-11, 10-04-12, 10-04-14, 10-04-16.1, 10-04-17, and 10-04-18 of the North Dakota Century Code, relating to definitions, administration, and registration of securities under the Securities Act of 1951, advertising of and statements about securities, federal covered securities, suspensions and revocation of securities registrations, registration of dealers, agents, investment advisers, and investment adviser representatives, suspension and revocation of registrations of dealers, agents, investment advisers and investment adviser representatives, hearing provisions, securities investigations, consent to service of process, remedies available to investors, and penalties.

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 78 YEAS, 13 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glasheim; Gorder; Grumbo; Gunter; Haas; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Porter; Price; Rennerfeldt; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Boehm; Carlson; Delzer; Grande; Grosz; Gulleson; Hanson; Hoffner; Kerzman; Poolman; Renner; Rose; Timm

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas; Schmidt

Engrossed HB 1144 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1152: A BILL for an Act to create and enact two new sections to chapter 43-32 of the North Dakota Century Code, relating to registration of psychological associates; and to amend and reenact sections 43-32-01, 43-32-08.1, 43-32-08.2, 43-32-09, 43-32-12, 43-32-13, 43-32-14, 43-32-16, 43-32-17, 43-32-21, 43-32-23, 43-32-24, 43-32-26, 43-32-27, 43-32-27.1, 43-32-28.1, 43-32-30, and 43-32-32 of the North Dakota Century Code, relating to registration of psychological associates by the board of psychologist examiners.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; 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: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas

Engrossed HB 1152 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that Engrossed HB 1476, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, Engrossed HB 1476 was rereferred.

SECOND READING OF HOUSE BILL

HB 1156: A BILL for an Act to create and enact three new subsections to section 60-04-03.1 of the North Dakota Century Code, relating to warehousemen; to amend and reenact subsections 3 and 5 of section 60-02-01, subsection 1 of section 60-02-05, sections 60-02-07, 60-02-17, 60-02-27, and 60-02-37 of the North Dakota Century Code, relating to warehouseman disputes, warehouse storage contracts, and hay buyers; and to repeal section 60-02-17.1 of the North Dakota Century Code, relating to warehouse charges for grain owned by the United States.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 5 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Sandvig; Schmidt;

Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Aarsvold; Boehm; Delzer; Gulleeson; Renner

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas

Engrossed HB 1156 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HCR 3017 be placed at the bottom of the calendar, which motion prevailed.

MOTION

REP. DORSO MOVED that HB 1185 be rereferred to the **Agriculture Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, HB 1185 was rereferred.

SECOND READING OF HOUSE BILL

HB 1300: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to authorizing governmental employers to allow public employees a leave of absence for service in the legislative assembly.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 74 YEAS, 16 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Bernstein; Brandenburg; Brekke; Byerly; Carlisle; Cleary; Dalrymple; Delmore; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleeson; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Martinson; Metcalf; Mickelson; Monson; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich

NAYS: Belter; Boehm; Brusegaard; Carlson; Clark; DeKrey; Delzer; Devlin; Froseth; Grande; Gunter; Nelson; Rennerfeldt; Thoreson, B.; Weisz; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Kelsh, S.; Mahoney; Maragos; Meyer; Nicholas

Engrossed HB 1300 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1311 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1320: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for employers who provide a child care program for children of employees; 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 NOT PASS, the roll was called and there were 39 YEAS, 53 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Glassheim; Grumbo; Gulleeson; Hanson; Hoffner; Huether; Jensen; Kelsh, S.; Kerzman; Koppang; Kroeber; Lemieux; Lundgren; Maragos; Martinson; Metcalf; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wentz; Winrich

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

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas

Engrossed HB 1320 was declared lost.

ANNOUNCEMENT

SPEAKER WALD ANNOUNCED that Rep. Timm would be Acting Speaker.

SECOND READING OF HOUSE BILL

HB 1324: A BILL for an Act to amend and reenact section 39-06.2-17 of the North Dakota Century Code, relating to the hours of service exemption for the transportation of agricultural commodities.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 2 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; 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; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

NAYS: Delzer; Lemieux

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas; Wald

Engrossed HB 1324 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1336: A BILL for an Act to amend and reenact section 39-06.1-06 of the North Dakota Century Code, relating to statutory fees for exceeding the speed limit.

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

YEAS: Aarsvold; Berg; Bernstein; Brandenburg; Brekke; Carlisle; Cleary; Dalrymple; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Galvin; Glassheim; Gorder; Grande; Grumbo; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Mueller; Nelson; Nichols; Nottestad; Nowatzki; Price; Rose; Sandvig; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Tollefson; Warner; Wentz; Wikenheiser; Winrich

NAYS: Belter; Boehm; Brusegaard; Byerly; Carlson; Clark; DeKrey; Delzer; Froseth; Grosz; Gullerson; Gunter; Kerzman; Mickelson; Monson; Niemeier; Pollert; Poolman; Porter; Renner; Rennerfeldt; Schmidt; Severson; Thorpe; Weisz; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Fairfield; Froelich; Hawken; Mahoney; Meyer; Nicholas; Wald

Engrossed HB 1336 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1337: A BILL for an Act to create and enact a new chapter to title 36 of the North Dakota Century Code, relating to farmed elk; to amend and reenact section 19-02.1-21, subsection 3 of section 36-01-00.1, section 36-04-02, subsection 2 of section 36-05-01, subsection 2 of section 36-05.1-01, subsection 1 of section 38-11.1-03, and subsection 1 of section 38-18-05 of the North Dakota Century Code, relating to the inclusion of farmed elk in other provisions regarding livestock; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 8 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; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; 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; Maragos; Martinson; Metcalf; 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; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas; Wald; Warner

Engrossed HB 1337 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1338: A BILL for an Act to amend and reenact section 4-09-10 and subsection 3 of section 4-09-10.1 of the North Dakota Century Code, relating to labeling requirements for agricultural seed.

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 24 YEAS, 67 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Berg; Bernstein; Brekke; Delmore; Glassheim; Haas; Herbel; Jensen; Johnson, D.; Keiser; Klein; Klemin; Koppang; Maragos; Martinson; Metcalf; Mueller; Nottestad; Nowatzki; Pollert; Thoreson, L.; Wentz; Wikenheiser; Acting Speaker Timm

NAYS: Aarsvold; Belter; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Henegar; Hoffner; Huether; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kliniske; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mickelson; Monson; Nelson; Nichols; Niemeier; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thorpe; Tollefson; Warner; Weisz; Winrich

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas; Wald

Engrossed HB 1338 was declared lost.

SECOND READING OF HOUSE BILL

HB 1347: A BILL for an Act to create and enact four new sections to chapter 10-33 of the North Dakota Century Code, relating to proposed agreements and transactions by nonprofit hospitals; and to amend and reenact subsection 3 of section 10-33-85, subsection 1 of section 10-33-88, and subsection 3 of section 10-33-94 of the North

Dakota Century Code, relating to proposed agreements and transactions by nonprofit hospitals.

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, 9 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; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; 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; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Maragos; Meyer; Nicholas; Solberg; Wald

Engrossed HB 1347 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1364: A BILL for an Act to amend and reenact subsection 11 of section 10-15-05 of the North Dakota Century Code, relating to information required in articles of association of a cooperative association filed with the secretary of state.

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, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Brusegaard; Froelich; Hawken; Henegar; Mahoney; Meyer; Nicholas; Wald

Engrossed HB 1364 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1381: A BILL for an Act to amend and reenact subsection 3 of section 34-12-01 of the North Dakota Century Code, relating to the definition of employer for labor-management relations purposes.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 62 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Glassheim; Grumbo; Gulleason; Hanson; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lundgren; Maragos; 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; Disrud; Dorso; Drovdal; Froseth;

Galvin; Gorder; Grande; Grosz; Gunter; Haas; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Martinson; Metcalf; Monson; Mueller; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Solberg; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Tollefson; Weisz; Wentz; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Lemieux; Mahoney; Meyer; Mickelson; Nicholas; Wald; Wikenheiser

Engrossed HB 1381 was declared lost.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Howard Hove

SECOND READING OF HOUSE BILL

HB 1396: A BILL for an Act to amend and reenact section 26.1-36-09 of the North Dakota Century Code, relating to insurance coverage for treatment of mental disorders.

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

YEAS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; 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; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

NAYS: Brekke; Delzer

ABSENT AND NOT VOTING: Aarsvold; Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas; Wald

Engrossed HB 1396 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1398: A BILL for an Act relating to the authority of a state agency or institution to expand a building project; and to amend and reenact sections 15-10-12.1 and 15-55-10 of the North Dakota Century Code, relating to limitations on buildings and other campus 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 83 YEAS, 7 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

NAYS: Cleary; Jensen; Rose; Sandvig; Sveen; Thorpe; Wentz

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas; Wald; Wikenheiser

Engrossed HB 1398 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1410: A BILL for an Act to amend and reenact subsection 1 of section 20.1-03-07, section 20.1-03-07.1, and subsections 2, 7, 8, 37, 38, and 39 of section 20.1-03-12, relating to nonresident hunting and fishing licenses and fees; 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 72 YEAS, 19 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Belter; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Mickelson; Mueller; Nelson; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Tollefson; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

NAYS: Aarsvold; Berg; Bernstein; Dalrymple; DeKrey; Delzer; Fairfield; Froseth; Gorder; Gulleon; Huether; Kerzman; Lemieux; Monson; Nichols; Niemeier; Thorpe; Warner; Weisz

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas; Wald

Engrossed HB 1410 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1411: A BILL for an Act to amend and reenact subdivision d of subsection 19 of section 20.1-02-05 of the North Dakota Century Code, relating to publication of public access booklets under the private land habitat and access improvement program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 8 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; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; 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; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Koppelman; Mahoney; Meyer; Nicholas; Wald

Engrossed HB 1411 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1428: A BILL for an Act to authorize the production of industrial hemp; and to amend and reenact subsection 13 of section 4-09-01 of the North Dakota Century Code, relating to the definition of noxious weed seeds.

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

YEAS: Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grosz; Grumbo; Gulleson; Haas; Hanson; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lemieux; Lloyd; Lundgren; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Acting Speaker Timm

NAYS: Boehm; Byerly; Carlisle; Carlson; Clark; Delzer; Gorder; Grande; Gunter; Porter; Thoreson, B.

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Koppelman; Mahoney; Meyer; Nicholas; Wald

Engrossed HB 1428 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1412: A BILL for an Act to amend and reenact section 39-21-39 of the North Dakota Century Code, relating to tinted windows of motor vehicles.

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 82 YEAS, 9 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Byerly; Carlisle; Cleary; Fairfield; Kelsh, S.; Lundgren; Nottestad; Rose

ABSENT AND NOT VOTING: Boucher; Froelich; Hawken; Mahoney; Meyer; Nicholas; Wald

Engrossed HB 1412 passed and the title was agreed to.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Monday, February 15, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1034: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1034 was placed on the Sixth order on the calendar.

- Page 4, line 2, after "is" insert "entitled to receive an annual salary of" and after "dollars" insert "and is entitled to reimbursement for actual and necessary expenses incurred in the same manner as other state officials"
- Page 36, line 1, replace "2" with "3"
- Page 36, line 9, replace "3" with "4"
- Page 36, line 12, replace "4" with "5"
- Page 36, line 24, remove "- **Ballots - Stickers**"
- Page 37, line 13, after "**ballots**" insert "- **Stickers**"
- Page 40, line 23, remove "- **Poll books**"
- Page 54, line 11, replace "and" with a period
- Page 54, remove line 12
- Page 58, line 19, after "all" insert "outstanding" and replace "incurred by" with "of"
- Page 58, line 24, replace "projected" with "taxable"
- Page 59, line 8, replace "disparities" with "disparity"
- Page 61, line 18, after the second "the" insert "receiving school district's", after "levies" insert "that are required", and after "debt" insert "existing before the effective date of the annexation or dissolution"
- Page 61, line 23, after "levies" insert "of the school district from which the property was detached which are"
- Page 61, remove lines 25 through 31
- Page 62, remove lines 1 through 13
- Page 62, line 14, replace "**15.1-12-10**" with "**15.1-12-09**"
- Page 62, line 15, after the first "more" insert "contiguous"
- Page 62, line 22, replace "**15.1-12-11**" with "**15.1-12-10**"
- Page 62, line 24, replace "15.1-12-10" with "15.1-12-09"
- Page 63, line 3, replace "proposals for the" with "planned"
- Page 63, line 5, replace "proposals for" with "planned"
- Page 63, line 6, remove "proposals regarding" and after the first "the" insert "planned"
- Page 63, line 9, remove "proposals regarding" and after the first "the" insert "planned"
- Page 63, line 12, replace "proposals" with "plans", replace "the provision of" with "student", and remove "to students"
- Page 63, line 13, remove "attending the new district"
- Page 63, line 21, after "Address" insert "the planned disposition of all" and remove "as"
- Page 63, line 22, replace "provided for in" with "taking into consideration" and replace "15.1-12-19" with "15.1-12-18"
- Page 63, line 24, after "levy" insert "and any other levies"
- Page 64, line 18, replace "**15.1-12-12**" with "**15.1-12-11**"
- Page 65, line 17, replace "**15.1-12-13**" with "**15.1-12-12**"
- Page 65, line 24, replace "15.1-12-15" with "15.1-12-14"

Page 65, line 25, replace "15.1-12-15" with "15.1-12-14"

Page 65, line 28, replace "**15.1-12-14**" with "**15.1-12-13**"

Page 66, line 1, replace "15.1-12-11" with "15.1-12-10"

Page 66, line 13, replace "**15.1-12-15**" with "**15.1-12-14**"

Page 66, line 16, replace "15.1-12-12" with "15.1-12-11"

Page 66, line 21, replace "15.1-12-19" with "15.1-12-18"

Page 66, line 22, replace "15.1-12-16" with "15.1-12-15" and replace "15.1-12-17" with "15.1-12-16"

Page 66, line 25, replace "**15.1-12-16**" with "**15.1-12-15**"

Page 66, line 27, remove ", as provided by chapter 15.1-16,"

Page 67, line 16, replace "**15.1-12-17**" with "**15.1-12-16**"

Page 67, line 21, replace "**15.1-12-18**" with "**15.1-12-17**"

Page 67, line 27, replace "**15.1-12-19**" with "**15.1-12-18**"

Page 68, line 4, replace "**15.1-12-20**" with "**15.1-12-19**"

Page 68, line 14, replace "**15.1-12-21**" with "**15.1-12-20**"

Page 68, line 21, replace "**15.1-12-22**" with "**15.1-12-21**"

Page 69, line 14, replace "**15.1-12-23**" with "**15.1-12-22**"

Page 69, line 20, replace "15.1-12-24" with "15.1-12-23"

Page 69, line 21, replace "**15.1-12-24**" with "**15.1-12-23**"

Page 69, line 29, replace "**15.1-12-25**" with "**15.1-12-24**"

Page 70, line 4, replace "**15.1-12-26**" with "**15.1-12-25**"

Page 70, line 8, replace "**15.1-12-27**" with "**15.1-12-26**"

Page 70, line 15, replace "15.1-12-25" with "15.1-12-24"

Page 70, line 19, replace "15.1-12-28" with "15.1-12-27"

Page 70, line 26, replace "15.1-12-30" with "15.1-12-29"

Page 71, line 5, replace "**15.1-12-28**" with "**15.1-12-27**"

Page 71, line 19, after the first "all" insert "outstanding bonded and other" and remove ", including the amount of all outstanding"

Page 71, line 20, remove "bonds"

Page 71, line 23, after "district" insert "and adjacent districts" and replace "projected" with "taxable"

Page 71, line 24, after "districts" insert "under the proposed manner of dissolution"

Page 72, line 11, after "disparities" insert "between the districts to which the dissolved district is attached"

Page 73, line 7, replace "**15.1-12-29**" with "**15.1-12-28**"

Page 73, line 16, replace "**15.1-12-30**" with "**15.1-12-29**"

Page 78, line 5, replace "Grants - Design - Coordination" with "Chemical abuse prevention program - Rules"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1035: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1035 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1092: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1092 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1108: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1108 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "three" with "five"

Page 1, line 3, remove the second "and"

Page 1, line 4, after "carriers" insert ", preservation of records, and resale certificates"

Page 1, line 8, remove "and" and after "application" insert "; to provide an effective date; and to provide an expiration date"

Page 2, line 17, replace "a reasonable time" with "six months"

Page 3, line 6, replace the second "of" with "or"

Page 3, after line 10, insert:

"SECTION 4. A new section to chapter 57-34 of the North Dakota Century Code is created and enacted as follows:

Preservation of records. Every telecommunications carrier required to make a return and pay any tax under this chapter shall preserve records of the gross proceeds of sale as the commissioner may require and every carrier shall preserve for a period of three years and three months all invoices and other records of telecommunications services purchased for resale. All of these books, invoices, and other records must be open to examination at any time by the commissioner or any duly authorized agent of the commissioner.

SECTION 5. A new section to chapter 57-34 of the North Dakota Century Code is created and enacted as follows:

Resale certificates. A telecommunications carrier who receives a resale certificate certifying that another telecommunications carrier holds a North Dakota sales and use tax permit for sales or use tax purposes under section 57-39.2-14 is relieved from submitting the telecommunications gross receipts tax upon the sale of telecommunications services to be resold by the telecommunications carrier submitting the certificate. When a telecommunications carrier submits a false resale certificate to another telecommunications carrier, the telecommunications carrier that submitted the certificate is liable for the telecommunications gross receipts tax on the sale. A hospital, hotel, motel, or similar place of temporary accommodation selling telecommunications service to its patients or guests is not a telecommunications carrier under this section."

Page 3, line 18, remove the overstrike over "~~and~~" and replace the underscored comma with "less"

Page 3, line 20, replace ", and amounts paid to another telecommunications carrier for" with an underscored period

Page 3, remove lines 21 and 22

Page 3, line 26, after "carrier" insert "retail"

Page 4, line 16, overstrike "A hospital, hotel, motel, or similar place of temporary accommodation selling"

Page 4, overstrike line 17

Page 4, line 18, overstrike "stated charge for the service" and insert immediately thereafter "Internet access service or similar service"

Page 5, line 6, replace "inter-company" with "intercarrier"

Page 5, line 9, replace "company" with "telecommunications carrier"

Page 5, line 10, replace "inter-company" with "intercarrier"

Page 6, line 23, after "carrier's" insert "retail"

Page 8, line 23, replace "notice" with "indexing"

Page 8, line 25, replace "notice" with "indexing"

Page 9, line 6, replace "notice" with "indexing"

Page 9, line 7, after "**ACT**" insert "- **EFFECTIVE DATE - EXPIRATION DATE**"

Page 9, line 8, after the period insert "The amendments of subsections 1 and 3 of section 57-34-01 as amended by section 6 of this Act are effective for taxable years beginning after December 31, 1998. The amendments to subsections 1 through 3 of section 57-34-02 as amended by section 7 of this Act are effective for the first two taxable years beginning after December 31, 1999, and are thereafter ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1302: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (14 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1302 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1334: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1334 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1335: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1335 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "state or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1355: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (18 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1355 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1368: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1368 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1380: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (16 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1380 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1417: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1417 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1430: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1430 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 36-05 of the North Dakota Century Code, relating to pregnancy determinations on cows sold through livestock auction markets; and to"

Page 1, after line 3, insert:

"SECTION 1. A new section to chapter 36-05 of the North Dakota Century Code is created and enacted as follows:

Inspection of livestock - Pregnancy checks. Notwithstanding section 43-29-01.1, for purposes of sale through a livestock auction market, only a licensed veterinarian may make a determination regarding the pregnancy of a cow."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1436: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (15 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1436 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1482: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1482 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "no more than three"

Page 1, line 8, after "and" insert "make recommendations regarding the" and after "award" insert "of grants. The board shall award"

Page 1, line 9, remove "who are"

Page 1, line 10, remove "residents of this state"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1483: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1483 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1493: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1493 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 6-01, a new section to chapter 10-04, a new section to chapter 26.1-01, and a new chapter to title 26.1 of the North Dakota Century Code, relating to the transfer of duties, functions, and powers of the commissioner of banking and financial institutions, the securities commissioner, and the insurance commissioner to a director of banking and financial institutions, a director of securities, and a director of insurance and to establish a department of commerce under the direction of the insurance commissioner and a state commerce advisory board; to amend and reenact sections 6-01-01, 10-04-03, subsection 2 of section 10-04-05, and section 26.1-06-12 of the North Dakota Century Code, relating to the transfer of the duties, functions, and powers of the commissioner of banking and financial institutions, the securities

commissioner, and the insurance commissioner to a director of banking and financial institutions, a director of securities, and a director of insurance; to repeal sections 6-01-03, 6-01-04, 6-01-08, 6-01-10, 6-01-11, 6-01-12, 26.1-01-02, 26.1-01-08, and 26.1-01-09 of the North Dakota Century Code, relating to the appointment and salary of the commissioner of banking and financial institutions, the bond required of the commissioner of banking and financial institutions, the state banking board and the state credit union board, and the salary and official seal of the insurance commissioner; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 6-01-01 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6-01-01. Management and control - ~~State department~~ Division of banking and financial institutions. The ~~state department~~ division of banking and financial institutions is under the supervision of the ~~state banking board, state credit union board, and a chief officer designated as the commissioner of banking and financial institutions, and known as the state examiner.~~ Whenever the term state examiner is used in this code, it means the commissioner of banking and financial institutions director of banking and financial institutions. Neither the insurance commissioner nor the director may own, hold, or control any stock, capital, or bond, or hold the office of trustee, assignee, officer, agent, or employee of any financial institution under the director's jurisdiction, or of any corporation engaged in the business of guarantying or ensuring the fidelity or faithful performance of the duties or the solvency of public officers or of public depositaries. The ~~state department of banking and financial institutions~~ division has charge of the execution of all laws relating to state banks, trust companies, credit unions, building and loan associations, mutual investment corporations, mutual savings corporations, banking institutions, and other financial corporations, ~~exclusive of~~ except the Bank of North Dakota.

SECTION 2. A new section to chapter 6-01 of the North Dakota Century Code is created and enacted as follows:

Director of banking and financial institutions to be substituted for the commissioner of banking and financial institutions, the state banking board, and the state credit union board - Division of banking and financial institutions to be substituted for department of banking and financial institutions. Whenever the terms "commissioner of banking and financial institutions", "state banking board" or "state credit union board" or any derivative of the terms when used in the context to refer to that position appears in the code, the term "director of banking and financial institutions" must be substituted therefor. Whenever the term "department of banking and financial institutions" or any derivative of the term is used, the term "division of banking and financial institutions" must be substituted therefor. The director of banking and financial institutions shall assume the duties, functions, and powers of the commissioner of banking and financial institutions.

SECTION 3. A new section to chapter 10-04 of the North Dakota Century Code is created and enacted as follows:

Director of securities to be substituted for securities commissioner. Whenever the term "securities commissioner" or any derivative of the term when used in the context to refer to that position appears in the code, the term "director of securities" must be substituted therefor. The director of securities shall assume the duties, functions, and powers of the securities commissioner.

SECTION 4. AMENDMENT. If House Bill No. 1144 does not become effective, section 10-04-03 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

10-04-03. Administration of chapter.

- ~~The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment,~~

~~and the interim appointee shall hold office until the senate confirms or rejects the appointment. The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state. The Neither the insurance commissioner nor the director of securities may not own or control any security required to be registered under this chapter and may not or be an officer, director, or employee of any dealer, salesman, investment adviser, or investment adviser representative required to be registered under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.~~

~~It is the prime duty of the commissioner to~~ The director shall administer the provisions of this chapter. ~~The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy shall administer the provisions of this chapter as acting commissioner.~~

2. ~~The commissioner shall have authority to~~ director may administer oaths in, and to prescribe forms for, all matters arising under this chapter. ~~The commissioner~~ director may from time to time make, amend, and rescind ~~such~~ rules, forms, and orders as are necessary under this chapter, including rules and forms governing registration statements, applications and reports, and defining any terms, whether or not used in this chapter, if the definitions are consistent with this chapter. ~~The commissioner~~ director shall cooperate with the administrators of the securities laws of other states and of the United States with a view toward achieving maximum uniformity in the interpretation of like provisions of the laws administered by them and in the forms ~~which are~~ required to be filed under ~~such~~ law.
3. ~~In addition to their regular compensation, the commissioner and the commissioner's employees shall be paid travel expenses necessary and actually incurred in the performance of their duties.~~
4. All fees collected under this chapter must be deposited in the general fund of the state treasury, except civil penalties collected from enforcement actions for the purpose of distribution to aggrieved investors may be deposited in a special securities protection fund. All other civil penalties collected, including those collected for the reasonable expenses for the administration of a particular case, must be deposited in the general fund.
5. ~~4.~~ 4. ~~The commissioner~~ director may honor requests from interested persons for the issuance of a statement or opinion concerning the applicability of this chapter or the rules adopted under this chapter to any transaction or proposed transaction ~~which that~~ may be subject to this chapter. ~~Any such~~ A request must be accompanied by a fee to be set by the commissioner by rule, which may not exceed two hundred fifty dollars.

SECTION 5. AMENDMENT. If House Bill No. 1144 becomes effective, section 10-04-03 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

10-04-03. Administration of chapter.

1. ~~The securities commissioner must be appointed by the governor and confirmed by the senate and shall hold office for a term of four years, beginning on the first day of July following a national presidential election and continuing until a successor has been appointed, confirmed by the senate, and has qualified, unless removed as herein provided. If the senate is not in session, the governor may make an interim appointment, and the interim appointee shall hold office until the senate confirms or rejects the appointment. The commissioner must be skilled in securities and may not be an incumbent of any other public office in the state. The Neither the insurance commissioner nor the director may not own or control any security required to be registered under this chapter and may~~

~~not or be an officer, director, or employee of any dealer, salesman, investment adviser, or investment adviser representative required to be registered under this chapter. The governor may remove from office any commissioner who fails to discharge faithfully the duties of office or who becomes disqualified under the provisions of this section.~~

~~It is the prime duty of the commissioner to~~ The director shall administer the provisions of this chapter. ~~The commissioner shall receive a salary within the amount appropriated for salaries by the legislative assembly. The commissioner shall use a seal with the words "securities commissioner, North Dakota" and such design as the commissioner may prescribe engraved thereon by which seal the commissioner may authenticate documents used in the administration of this chapter. The commissioner may employ such employees as are necessary for the administration of this chapter. In the absence or disability of the commissioner, the deputy shall administer the provisions of this chapter as acting commissioner.~~

2. ~~The commissioner shall have authority to~~ director may administer oaths in, and to prescribe forms for, all matters arising under this chapter. ~~The commissioner~~ director may from time to time make, amend, and rescind such rules, forms, and orders as are necessary under this chapter, including rules and forms governing registration statements, applications and reports, and defining any terms, whether or not used in this chapter, if the definitions are consistent with this chapter. ~~The commissioner~~ director shall cooperate with the administrators of the securities laws of other states and of the United States with a view toward achieving maximum uniformity in the interpretation of like provisions of the laws administered by them and in the forms which are required to be filed under such law.
3. ~~In addition to their regular compensation, the commissioner and the commissioner's employees shall be paid travel expenses necessary and actually incurred in the performance of their duties.~~
4. All fees collected under this chapter must be deposited in the general fund of the state treasury, except civil penalties collected from enforcement actions for the purpose of distribution to aggrieved investors may be deposited in a special securities protection fund. All other civil penalties collected, including those collected for the reasonable expenses for the administration of a particular case, must be deposited in the general fund.
5. 4. ~~The commissioner~~ director may honor requests from interested persons for the issuance of a statement or opinion concerning the applicability of this chapter or the rules adopted under this chapter to any transaction or proposed transaction which that may be subject to this chapter. ~~Any such~~ A request must be accompanied by a fee to be set by the commissioner by rule, which may not exceed two hundred fifty dollars.

SECTION 6. AMENDMENT. Subsection 2 of section 10-04-05 of the North Dakota Century Code is amended and reenacted as follows:

2. Securities issued by and representing an interest in or a debt of, or guaranteed by, a national bank or a national bank and trust company or bank or credit or loan or savings association or savings and loan association or credit union organized pursuant to an act of Congress and supervised by the United States, or any agency thereof, or issued or guaranteed as to both principal and interest by an international bank of which the United States is a member, or issued by and representing an interest in or a debt of, or guaranteed by, a state bank, trust company, savings bank, savings institution, or credit union organized and supervised under the laws of any state, and securities of any person subject to examination by the ~~commissioner~~ director of banking and financial institutions of North Dakota.

SECTION 7. A new section to chapter 26.1-01 of the North Dakota Century Code is created and enacted as follows:

Director of insurance to be substituted for insurance commissioner and division of insurance to be substituted for insurance department. Whenever the term "insurance commissioner" or any derivative of the term is used, except as it relates

to section 8 of this Act, the term "director of insurance" must be substituted therefor. Whenever the term "insurance department" or any derivative of the term is used, the term "division of insurance" must be substituted therefor.

SECTION 8. A new chapter to title 26.1 of the North Dakota Century Code is created and enacted as follows:

Definitions.

1. "Board" means the state commerce advisory board.
2. "Commerce commissioner" or "commissioner" means the insurance commissioner of this state.
3. "Department" means the commerce department.
4. "Directors" means the director of banking and financial institutions, the director of securities, and the director of insurance.

Department of commerce under direction of insurance commissioner.

There is established a department of commerce under the direction of the insurance commissioner. The commissioner shall employ a director of banking and financial institutions, a director of securities, a director of insurance, and other competent officials and employees to discharge the duties assigned to the commissioner. Each of the directors must be paid through funds appropriated to the commissioner by the legislative assembly. The commissioner and the commissioner's employees, including the directors and employees of any of the divisions, are also entitled to travel expenses necessary and actually incurred in the performance of their duties.

Appointment of directors. The director of banking and financial institutions, the director of securities, and the director of insurance must be appointed by the insurance commissioner and confirmed by the senate and shall hold office for the term of the insurance commissioner who makes the appointment. If the senate is not in session, the insurance commissioner may make an interim appointment and the interim appointee may hold office until the senate confirms or rejects the appointment. Any director appointed under this section serves at the pleasure of the commissioner.

Duties of the commissioner. The commissioner has the authority and the duty to oversee the administration of all law subject to the authority to the director of banking and financial institutions, the director of securities, and the director of insurance. The commissioner has the authority to implement procedures and policies and to create, amend, and revoke administrative rules in accordance with the authority granted to the directors appointed by the commissioner. All rulemaking authority granted to any of the directors is vested solely in the commissioner. The commissioner shall execute the commissioner's duties within the limits of the funds appropriated to the commissioner by the legislative assembly.

Salary of commissioner. The annual salary of the commissioner is fifty-seven thousand one hundred twenty dollars.

State commerce advisory board. There is established a state commerce advisory board that shall advise the commissioner on issues of the banking, insurance, and securities industries and regulations. The commissioner shall serve as chairman of the board.

1. Appointment to the board. The board consists of twelve members appointed by the insurance commissioner who shall hold office for the term of the insurance commissioner who makes the appointment. Any board member appointed under this section serves at the pleasure of the commissioner.
 - a. Three members must be affiliated with and must represent the interests of persons regulated by the division of banking and financial institutions. At least one of these members must be affiliated with and represent the interests of state-chartered banks and at least one of these members must be affiliated with the represent the interests of state-chartered credit unions.
 - b. Three members must be affiliated with and must represent the interests of persons regulated by the division of securities. At least

one of these members must be a registered agent with a series seven examination and at least one of these members must be a registered agent with a series six examination.

- c. Three members must be affiliated with and must represent the interests of persons regulated by the office of the insurance commissioner. At least one of these members must be a licensed property and casualty insurance agent and at least one of these members must be a licensed life and health insurance agent.
 - d. Three members must be members of the general public and may not be associated with any of the persons regulated under any of the foregoing and are knowledgeable consumers of the financial services, securities, and insurance industries.
2. Compensation of board members - Expenses. Each appointed member of the board is entitled to receive sixty-two dollars and fifty cents per day as compensation for the time actually spent devoted to the duties of the board and is entitled to receive necessary expenses in the same manner and amounts as state officials for attending meetings and performing other duties of the board.
3. Duties. The duties of the board include:
- a. Conducting meetings on at least a semi-annual basis;
 - b. Reviewing and discussing the statutes, rules, policies, and procedures administered by the commissioner;
 - c. Reviewing and discussing new developments and trends in the industries regulated by the commissioner;
 - d. Reviewing and discussing consumer and investor education and protection for residents of this state; and
 - e. Making recommendations to the commissioner regarding potential legislative or administrative changes.

SECTION 9. AMENDMENT. Section 26.1-06-12 of the North Dakota Century Code is amended and reenacted as follows:

26.1-06-12. Securities laws. This chapter does not limit or modify ~~in any way any responsibility, authority, power, or jurisdiction of the securities commissioner or of the securities laws of this state.~~

SECTION 10. REPEAL. Sections 6-01-11, 6-01-12, 26.1-01-02, and 26.1-01-08 of the North Dakota Century Code and sections 6-01-03, 6-01-04, 6-01-08, 6-01-10, and 26.1-01-09 of the 1997 Supplement to the North Dakota Century Code are repealed.

SECTION 11. EFFECTIVE DATE. This Act becomes effective July 1, 2001."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3009: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3009 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3014: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3014 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3019: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3019 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3029: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3029 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3024: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3024 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3030: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3030 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3031: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3031 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3033: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3033 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3035: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3035 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3037: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3037 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3042: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **DO NOT PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3042 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3045: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3045 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3051: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3051 was placed on the Tenth order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Thorpe, Timm and Sen. Watne introduced:

(Approved by the Delayed Bills Committee)

HCR 3056: A concurrent resolution congratulating Ms. Kimberly Petterson on being named the state's top high school student volunteer in The Prudential Spirit of Community Awards. Was read the first time and referred to the **Appropriations Committee**.

Reps. Meyer, Kerzman and Sen. Krauter introduced:

HCR 3057: A concurrent resolution directing the Legislative Council to study the cost effectiveness of the tax offset program of the Department of Human Services' food stamp benefit recovery effort.

Was read the first time and referred to the **Human Services Committee**.

Reps. Warner, Belter, Koppang, Nicholas introduced:

HCR 3058: A concurrent resolution directing the Legislative Council to study the chemical application industry and develop a method for assessing or determining damage due to misapplication and for resolution of disputes through mediation.

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

Reps. Poolman, Dorso, Herbel, R. Kelsch, Svedjan introduced:

HCR 3059: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing a flexible benefits program for health insurance benefits under the uniform group insurance program.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Boucher, Froelich, Schmidt, Winrich introduced:

HCR 3060: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of enhanced funding under the state aid distribution fund to provide property tax relief and to equalize funding for political subdivisions that do not impose home rule sales taxes.

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

Rep. Boucher introduced:

HCR 3061: A concurrent resolution directing the Legislative Council to study taxes imposed by state and local governments and the tax structure and balance among the various tax systems in North Dakota to provide a more equitable distribution of tax burdens.

Was read the first time and referred to the **Finance and Taxation Committee**.

Rep. Boucher introduced:

HCR 3062: A concurrent resolution directing the Legislative Council to study alternative dispositions, including boot camps, for youth in the juvenile justice system.

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

Reps. Meyer, Fairfield, Mueller introduced:

HCR 3063: A concurrent resolution urging Congress to encourage the formation of new legislative or administrative initiatives that would provide farmers with crop insurance options that offer true revenue or income protection and which add hay or other grazable grasses to the scope of covered commodities, and to encourage the formation of new legislative or administrative initiatives that address the high cost of crop insurance coverage and specifically examine the percentage of farmers' premiums used to support the administration of crop insurance programs.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Metcalf, Belter, Gorder, Herbel and Sens. Holmberg, Thane introduced:

HCR 3064: A concurrent resolution directing the Legislative Council to study enhanced funding for school districts for quality education and methods of reducing reliance on property taxes for school district funding.

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

Reps. Hoffner, Bernstein, Kerzman, Svedjan introduced:

HCR 3065: A concurrent resolution directing the Legislative Council to study the uses of funding provided to the Children's Services Coordinating Committee.

Was read the first time and referred to the **Human Services Committee**.

Reps. Hoffner, Mahoney introduced:

HCR 3066: A concurrent resolution directing the Legislative Council to study the laws governing the trapping of fur-bearers in this state.

Was read the first time and referred to the **Natural Resources Committee**.

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

LANCE HAGEN, Chief Clerk