

## JOURNAL OF THE HOUSE

## Fifty-sixth Legislative Assembly

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Bismarck, March 2, 1999

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

The prayer was offered by Reverend Maury Millican, Bismarck Reformed Church.

The roll was called and all members were present except Representatives Carlson, Cleary, Glassheim, Monson, and Tollefson.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. DeKrey, Chairman)** has carefully reexamined the Journal of the Thirty-fifth Day and examined the Journal of the Thirty-sixth Day and recommends that they be corrected as follows and when so corrected, recommends that they be approved:

Page 673, line 17, replace "7" with "8" and replace the second "4" with "3"

Page 675, line 8, after the second comma insert "and"

Page 675, line 9, remove ", and Speaker Wald"

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

**SIXTH ORDER OF BUSINESS**

**REP. DORSO MOVED** that the amendments on the Sixth order of business to SB 2092, SB 2143, Engrossed SB 2198, Engrossed SB 2270, and SB 2326 be adopted, which motion prevailed.

SB 2092, SB 2143, Engrossed SB 2198, Engrossed SB 2270, and SB 2326, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**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.

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

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Clark; Klein

**ABSENT AND NOT VOTING:** Glassheim; Monson; Tollefson

HCR 3061 was declared adopted on a roll call vote.

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**SECOND READING OF SENATE BILL**

**SB 2067:** A BILL for an Act to amend and reenact section 21-09-05 of the North Dakota Century Code, relating to validation of bonds issued by public bodies of the state before July 1, 1999.

**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 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; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Glassheim; Monson; Tollefson

Engrossed SB 2067, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2136:** A BILL for an Act to amend and reenact section 6-09-37 of the North Dakota Century Code, relating to sale of land acquired by the Bank of North Dakota.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 50 YEAS, 46 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Devlin; Disrud; Dorso; Gorder; Grande; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemm; Kliniske; Koppang; Koppelman; Martinson; Metcalf; Mickelson; Mueller; Nelson; Nicholas; Poolman; Porter; Price; Rennerfeldt; Rose; Svedjan; Sveen; Thoreson, B.; Timm; Weisz; Wentz; Speaker Wald

**NAYS:** Aarsvold; Belter; Boehm; Boucher; DeKrey; Delmore; Delzer; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grosz; Grumbo; Gulleston; Hanson; Hoffner; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Meyer; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Renner; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Thoreson, L.; Thorpe; Warner; Wikenheiser; Winrich

**ABSENT AND NOT VOTING:** Monson; Tollefson

Engrossed SB 2136, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2229:** A BILL for an Act to amend and reenact sections 35-21-02, 35-21-03, 35-21-04, and 35-21-05 of the North Dakota Century Code, relating to the release of a lien by an undertaking.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim;

Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Monson; Tollefson

SB 2229, as amended, passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2280:** A BILL for an Act to amend and reenact sections 11-18-01, 11-18-06, 11-18-07, 11-18-10, 11-18-11, 35-03-11, 35-03-16, 35-22-15, 35-22-16, 35-27-12, 40-50.1-14, 40-50.1-17, 47-19-10, 47-29-04, and subsection 2 of section 52-04-12 of the North Dakota Century Code, relating to the recording of documents by the register of deeds; and to repeal section 19-08-07 of the North Dakota Century Code, relating to recording of bottle brands.

#### 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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Monson; Tollefson

Engrossed SB 2280, as amended, passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2102:** A BILL for an Act to amend and reenact section 57-38-35.2, subsection 15 of section 57-38-40, and subsections 1 and 2 of section 57-38-45 of the North Dakota Century Code, relating to the payment of interest on income tax refunds; and to provide for retroactive application.

#### ROLL CALL

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

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; 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; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Brekke; Monson; Tollefson

Engrossed SB 2102 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2103:** A BILL for an Act to create and enact a new subsection to section 57-36-09 of the North Dakota Century Code, relating to the imposition of penalty and interest under the tobacco products tax law; and to amend and reenact sections 57-36-07, 57-36-11.1, and subsections 1 and 2 of section 57-36-25 of the North Dakota Century Code, relating to the tobacco product stamp requirements on sales to enrolled tribal members, the time for filing tobacco products tax returns by licensed tobacco products manufacturers, and the imposition of penalty and interest under the tobacco products tax law.

### 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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Monson; Tollefson

SB 2103 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2104:** A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-12, subsection 1 of section 57-39.2-12.1, subsection 7 of section 57-40.2-07, and subsection 1 of section 57-40.2-07.1 of the North Dakota Century Code, relating to the monthly filing of sales and use tax returns in the event of a business reorganization and reimbursement of administrative expenses for monthly filing of sales and use tax returns.

### 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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Johnson, N.; Kelsh, S.; Monson; Tollefson

Engrossed SB 2104 passed and the title was agreed to.

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**MOTION**

**REP. DORSO MOVED** that House Rule 337 be suspended and that all bills acted upon on the Sixth order today be placed on the Fourteenth order, as amended, for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2147:** A BILL for an Act to amend and reenact subsection 3 of section 25-02-01.1 of the North Dakota Century Code, relating to the governing body of the state hospital.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Monson; Tollefson

SB 2147 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2155:** A BILL for an Act to amend and reenact sections 57-36-09.3, 57-36-09.4, 57-38-60.1, 57-38-60.2, 57-39.2-15.2, 57-39.2-18.1, 57-40.2-15.1, 57-43.1-17.2, 57-43.1-17.3, 57-43.2-16.1, and 57-43.2-16.2 of the North Dakota Century Code, relating to an election to post a bond in lieu of corporate officer liability for the tobacco products tax, income tax, sales and use tax, motor vehicle fuel tax, and special fuel tax.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Monson; Tollefson

SB 2155 passed and the title was agreed to.

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**MOTION**

**REP. DORSO MOVED** that SB 2328, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2092:** A BILL for an Act to amend and reenact section 38-11.1-05 of the North Dakota Century Code, relating to notice of oil and gas drilling operations.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Monson; Tollefson

SB 2092, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2143:** A BILL for an Act to amend and reenact subsection 1 of section 23-07-17.1 of the North Dakota Century Code, relating to the place of filing certification of inoculation for a child receiving home-based instruction.

**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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Monson; Tollefson

SB 2143, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2198:** A BILL for an Act to amend and reenact sections 40-05.1-05 and 40-05.1-07 of the North Dakota Century Code, relating to the filing of copies of a new home rule charter and amendment or repeal of city home rule charters.

**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 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; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; 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; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Kelsch, R.; Monson; Tollefson

Engrossed SB 2198, as amended, passed and the title was agreed to.

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#### REQUEST

**REP. BOUCHER REQUESTED** that the following "Read Across North Dakota" resolution, which was read, be printed in the Journal, which request was granted.

#### "READ ACROSS NORTH DAKOTA" RESOLUTION

**WHEREAS**, the citizens of North Dakota stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy.

**WHEREAS**, the citizens of North Dakota understand the importance of community involvement in education of our children and youth, and that educational investment is in the best interest of the community's well-being and long-term quality of life.

**WHEREAS**, "Read Across America" is a national celebration of Dr. Seuss's birthday on March 2, promoting reading and adult involvement in the education of North Dakota's children.

**THEREFORE BE IT RESOLVED**, that the 1999 North Dakota Legislature calls upon this Assembly and the citizens of North Dakota to assure that every child in our state is in a safe place reading together with a caring adult on March 2, 1999.

**AND BE IT FURTHER RESOLVED**, that this body enthusiastically endorses "Read Across North Dakota" and commits our state to engage in programs and activities to make our children the best readers in the world.

#### SECOND READING OF SENATE BILL

**SB 2270:** A BILL for an Act to create and enact a new section to chapter 19-02.1 of the North Dakota Century Code, relating to country of origin labels.

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

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

**NAYS:** Brusegaard; Byerly; Keiser; Klein; Klemin; Pollert

**ABSENT AND NOT VOTING:** Monson; Tollefson

Engrossed SB 2270, as amended, passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2326:** A BILL for an Act to amend and reenact sections 6-08-16, 6-08-16.1, and subsection 1 of section 6-08-16.2 of the North Dakota Century Code, relating to authorizing an electronic funds transfer without sufficient funds; 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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Monson; Tollefson

SB 2326, as amended, passed and the title was agreed to.

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

**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 and to study and monitor North Dakota's welfare reform implementation efforts and the effectiveness of welfare reform.

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

HCR 3057 was declared adopted on a voice vote.

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**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bills and resolutions: SB 2028, SB 2033, SB 2034, SB 2046, SB 2049, SB 2062, SB 2065, SB 2072, SB 2076, SB 2078, SB 2083, SB 2090, SB 2097, SB 2109, SB 2117, SB 2118, SB 2135, SB 2137, SB 2150, SB 2156, SB 2169, SB 2174, SB 2176, SB 2194, SB 2211, SB 2241, SB 2251, SB 2263, SB 2265, SB 2286, SCR 4004, SCR 4006.

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

**MADAM PRESIDENT:** The Speaker has signed: SB 2028, SB 2033, SB 2034, SB 2046, SB 2049, SB 2062, SB 2065, SB 2072, SB 2076, SB 2078, SB 2083, SB 2090, SB 2097, SB 2109, SB 2117, SB 2118, SB 2135, SB 2137, SB 2150, SB 2156, SB 2169, SB 2174, SB 2176, SB 2194, SB 2211, SB 2241, SB 2251, SB 2263, SB 2265, SB 2286, SCR 4004, SCR 4006.

**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bills: HB 1042, HB 1055, HB 1059, HB 1084, HB 1086, HB 1090, HB 1094, HB 1096, HB 1097, HB 1100, HB 1103, HB 1112, HB 1145, HB 1164, HB 1195, HB 1202, HB 1203, HB 1342, HB 1375.

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

**MADAM PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1042, HB 1055, HB 1059, HB 1084, HB 1086, HB 1090, HB 1094, HB 1096, HB 1097, HB 1100, HB 1103, HB 1112, HB 1145, HB 1164, HB 1195, HB 1202, HB 1203, HB 1342, HB 1375.

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

**MADAM PRESIDENT:** The House has amended and subsequently passed: SB 2051, SB 2052, SB 2209, SB 2266.

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

**MADAM PRESIDENT:** The House has passed and your favorable consideration is requested on: HCR 3068, HCR 3070, HCR 3074, HCR 3079, HCR 3080.

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

**MADAM PRESIDENT:** The House has passed unchanged: SB 2063, SB 2070, SB 2110, SB 2130, SB 2131, SB 2146, SB 2157, SB 2178, SB 2190, SB 2231, SB 2292.

**MOTION**

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

**MOTION**

**REP. DORSO MOVED** that the House be on the Fifth, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, March 3, 1999, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HCR 3060: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HCR 3060 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3064: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3064 was placed on the Sixth order on the calendar.

Page 1, line 11, after the second comma insert "impact of property tax exemptions granted by local subdivisions,"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3072: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3072 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3077: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3077 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3078: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3078 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2041: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2041 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2054: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2054 was placed on the Sixth order on the calendar.

Page 1, line 23, overstrike "For taxable year 1998, total the annual gross returns for the most recent eight"

Page 1, overstrike line 24

Page 2, line 1, overstrike "discard the highest and lowest annual gross returns of the eight."

Page 2, line 11, replace "ten-year" with "seven-year" and replace "1998" with "1995"

Page 2, line 12, replace "eight" with "five" and replace "each year" with "taxable year 1999, the agricultural economics department shall gather the national agricultural statistics service annual index of prices paid by farmers for the nine years ending with the most recent year used under subdivision a, discard the highest and lowest years' indexes, average the remaining seven years' indexes, and divide the resulting amount by the base year index of prices paid by farmers. For taxable year 2000 and thereafter"

Page 2, line 13, remove "after 1998"

Page 2, line 15, remove "most recent" and after "years" insert "ending with the most recent year used under subdivision a"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2058, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2058 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike the second "a" and insert immediately thereafter "each"

Page 1, line 9, after "for" insert "each record check for"

Page 1, line 10, remove "and which does not"

Page 1, line 11, remove "receive gaming proceeds from a charitable organization"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2087, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2087 was placed on the Sixth order on the calendar.

Page 1, line 4, after "crimes" insert "; and to declare an emergency"

Page 3, after line 2, insert:

**"SECTION 5. EMERGENCY.** Sections 1 and 2 of this Act are declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2112: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO NOT PASS** (8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). SB 2112 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2132, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2132 was placed on the Sixth order on the calendar.

Page 15, line 9, remove "an additional"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2133, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2133 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2142: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2142 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2149: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2149 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2214: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2214 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2219: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2219 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2221: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2221 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2271, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2271 was placed on the Sixth order on the calendar.

Page 1, line 5, after the first comma, insert "45-10.1-58.2," and after the sixth comma insert "45-22-20.1,"

Page 194, after line 31, insert:

**"SECTION 164.** Section 45-10.1-58.2 of the North Dakota Century Code is created and enacted as follows:

**45-10.1-58.2. Foreign limited partnership - Transaction of business without registering.**

1. A foreign limited partnership transacting business in this state may not maintain any claim, action, suit, or proceeding in any court of this state until the foreign limited partnership registers with the secretary of state.
2. The failure of a foreign limited partnership to register does not impair the validity of any contract or act of the foreign limited partnership or prevent the foreign limited partnership from defending any claim, action, suit, or proceeding in any court in this state.
3. A foreign limited partnership, by transacting business in this state without registering, appoints the secretary of state as the foreign limited partnership's agent upon whom any notice, process, or demand may be served.
4. A foreign limited partnership that transacts business in this state without registering is liable to the state for the years or parts of years during which the foreign limited partnership transacted business in this state without registering in an amount equal to all fees that would have been imposed by this chapter upon that foreign limited partnership had the foreign limited partnership duly registered, filed all reports required by this chapter, and paid all penalties imposed by this chapter. The attorney general shall bring proceedings to recover all amounts due this state under this section.
5. A foreign limited partnership that transacts business in this state without registering is subject to a civil penalty, payable to the state, not to exceed five thousand dollars. Each general partner and each agent who authorizes, directs, or participates in the transaction of business in this state on behalf of a foreign limited partnership that has not registered is subject to a civil penalty, payable to the state, not to exceed one thousand dollars.
6. The civil penalties set forth in subsection 5 may be recovered in an action brought within the district court of Burleigh County by the attorney general. Upon a finding by the court that a foreign limited partnership or any of the foreign limited partnership's general partners or agents have transacted business in this state in violation of this chapter, the court shall issue, in addition to the imposition of a civil penalty, an injunction restraining the further transaction of the business of the foreign limited partnership and

further exercise of any rights and privileges by the foreign limited partnership in this state. The foreign limited partnership must be enjoined from transacting business in this state until all civil penalties plus any interest and court costs that the court may assess have been paid and until the foreign limited partnership has otherwise complied with the provisions of this chapter."

Page 231, after line 10, insert:

"**SECTION 194.** Section 45-22-20.1 of the North Dakota Century Code is created and enacted as follows:

**45-22-20.1. Foreign limited liability partnership - Transaction of business without registering.**

1. A foreign limited liability partnership transacting business in this state may not maintain any claim, action, suit, or proceeding in any court of this state until the foreign limited liability partnership registers with the secretary of state.
2. The failure of a foreign limited liability partnership to register does not impair the validity of any contract or act of the foreign limited liability partnership or prevent the foreign limited liability partnership from defending any claim, action, suit, or proceeding in any court in this state.
3. A foreign limited liability partnership, by transacting business in this state without registering, appoints the secretary of state as the foreign limited liability partnership's agent upon whom any notice, process, or demand may be served.
4. A foreign limited liability partnership that transacts business in this state without registering is liable to the state for the years or parts of years during which the foreign limited liability partnership transacted business in this state without registering in an amount equal to all fees that would have been imposed by this chapter upon that foreign limited liability partnership had the foreign limited liability partnership duly registered, filed all reports required by this chapter, and paid all penalties imposed by this chapter. The attorney general shall bring proceedings to recover all amounts due this state under this section.
5. A foreign limited liability partnership that transacts business in this state without registering is subject to a civil penalty, payable to the state, not to exceed five thousand dollars. Each managing partner or agent who authorizes, directs, or participates in the transaction of business in this state on behalf of a foreign limited liability partnership that has not registered is subject to a civil penalty, payable to the state, not to exceed one thousand dollars.
6. The civil penalties set forth in subsection 5 may be recovered in an action brought within the district court of Burleigh County by the attorney general. Upon a finding by the court that a foreign limited liability partnership or any of the foreign limited liability partnership's managing partners or agents have transacted business in this state in violation of this chapter, the court shall issue, in addition to the imposition of a civil penalty, an injunction restraining the further transaction of the business of the foreign limited liability partnership and further exercise of any rights and privileges by the foreign limited liability partnership in this state. The foreign limited liability partnership must be enjoined from transacting business in this state until all civil penalties plus any interest and court costs that the court may assess have been paid and until the foreign limited liability partnership has otherwise complied with the provisions of this chapter."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2275, as engrossed: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2275 was placed on the Sixth order on the calendar.

Page 1, line 13, after "practicum" insert "under the direct supervision of a licensed massage therapist"

Page 1, line 14, after "clinic" insert "under the direct supervision of a licensed massage therapist"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2295: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2295 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2303: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2303 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2309, as engrossed: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2309 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "but which must require at least seven hundred fifty hours of"

Page 1, remove lines 10 through 16

Page 1, line 17, remove "five hundred hours of instruction"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2315: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2315 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2370: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2370 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2376: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2376 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2388, as engrossed: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2388 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "the minor has lived with the petitioner for at least two years,"

Page 1, line 11, after "filed" insert "against the petitioner or any member of the petitioner's household"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2407: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2407 was placed on the Sixth order on the calendar.

Page 2, line 10, remove "automobile rental companies agency"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4027.

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

**MR. SPEAKER:** The Senate has passed unchanged: HB 1044, HB 1074, HB 1088, HB 1110, HB 1111, HB 1116, HB 1125, HB 1168, HB 1180, HB 1215, HB 1216, HB 1222, HB 1247, HB 1337, HB 1363, HB 1459, HB 1474.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1101.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1101**

Page 2, line 18, after the underscored period insert "The name of the owner of an automated teller machine must be shown on each automated teller machine located separate from a financial institution."

Renumber accordingly

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

**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SB 2056, SB 2077, SB 2085, SB 2086, SB 2091, SB 2099, SB 2100, SB 2106, SB 2111, SB 2138, SB 2139, SB 2145, SB 2179, SB 2272, SB 2291, SB 2360, SCR 4001.

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

**MR. SPEAKER:** The President has signed: HB 1042, HB 1055, HB 1059, HB 1084, HB 1086, HB 1090, HB 1094, HB 1096, HB 1097, HB 1100, HB 1103, HB 1112, HB 1145, HB 1164, HB 1195, HB 1202, HB 1203, HB 1342, HB 1375.

**FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

**SCR 4002:** A concurrent resolution urging the continued cooperation and coordination among county social service agencies to provide for the delivery and administration of social services in a cost-effective and efficient manner and to report to the Legislative Council and directing the Legislative Council to monitor the cooperation and coordination among county social service agencies.

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

**SCR 4027:** A concurrent resolution directing the Legislative Council to study issues related to the Missouri River in North Dakota.

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

**SCR 4035:** A concurrent resolution directing the Legislative Council to study the substance and procedure of statutory agricultural liens.

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

**SCR 4040:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a mechanism to allow farmers and ranchers to shelter a portion of their income in an agricultural real estate asset retirement-type fund.

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

**SCR 4041:** A concurrent resolution directing the Legislative Council to study potential tax incentives and regulatory relief that would encourage greater investment participation by North Dakota residents in agricultural business ownership.

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

**SCR 4043:** A concurrent resolution directing the Legislative Council to study voter registration.

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

**SCR 4045:** A concurrent resolution directing the Legislative Council to study alternative systems for the funding of services delivered to children and adults who are developmentally disabled.

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

**SCR 4046:** A concurrent resolution directing the Legislative Council to study the appropriateness and adequacy of the laws on charitable gaming, including the financial remuneration allowed to owners of charitable gaming sites.

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

**SCR 4047:** A concurrent resolution directing the Legislative Council to study methods to preserve and provide access to state publications in an electronic format.

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

**SCR 4048:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of revising the sections of the North Dakota Century Code which relate to sexual offenses, sentencing of sexual offenders, and sexual offender commitment treatment.

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

**SCR 4049:** A concurrent resolution directing the Legislative Council to study establishment and operation of a disaster relief fund to address property tax needs in federally declared disaster areas.

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

**SCR 4050:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing a grant preapproval process for every state agency, except institutions under the state board of higher education.

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

**SCR 4051:** A concurrent resolution directing the Legislative Council to study the classification of criminal offenses throughout the North Dakota Century Code.

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

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

**LANCE HAGEN, Chief Clerk**