

## JOURNAL OF THE HOUSE

## Fifty-eighth Legislative Assembly

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Bismarck, February 10, 2003

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

The prayer was offered by Rev. Dale Nabin, Missouri Slope Lutheran Care Center.

The roll was called and all members were present except Representative Norland.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

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

Page 361, line 3 insert the following:

## SECOND READING OF HOUSE BILL

**HB 1471:** A BILL for an Act to amend and reenact subsections 1 and 2 of section 57-35.3-02, subsection 1 of section 57-38-01.3, and section 57-38-30 of the North Dakota Century Code, relating to financial institutions taxes, the corporate income tax deduction for federal income taxes paid, and corporate income tax rates; to repeal chapter 57-38.4 of the North Dakota Century Code, relating to the corporate income tax water's edge filing election; 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 88 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Acting Speaker Timm

**NAYS:** Niemeier; Sandvig; Schmidt; Solberg; Zaiser

**ABSENT AND NOT VOTING:** Wentz

Engrossed HB 1471 passed and the title was agreed to.

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

## CORRECTION AND REVISION OF THE JOURNAL

**MADAM SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Twenty-Third Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 355, line 39 remove "HB 1289"

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

**SIXTH ORDER OF BUSINESS**

**REP. BERG MOVED** that the amendments on the Sixth order of business to HB 1050, HB 1095, HB 1112, HB 1113, HB 1117, HB 1214, HB 1239, HB 1243, HB 1247, HB 1339, HB 1349, HB 1358, HB 1384, HB 1421, HB 1423, HB 1437, HB 1465 and HCR 3027 be adopted, which motion prevailed.

HB 1050, HB 1243, HB 1358 and HB 1423, as amended, were rereferred to the **Appropriations Committee**.

HCR 3027, as amended, was placed on the Tenth order of business on the calendar.

HB 1095, HB 1112, HB 1113, HB 1117, HB 1214, HB 1239, HB 1247, HB 1339, HB 1349, HB 1384, HB 1421, HB 1437 and HB 1465, as amended, were placed on the Eleventh order of business on the calendar.

**MOTION**

**REP. BERG MOVED** that HB 1263 and HB 1495 be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1030:** A BILL for an Act to provide for a legislative council study of the future role of the veterans' home; and to provide an appropriation.

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

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Norland

Engrossed HB 1030 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1190:** A BILL for an Act to create and enact a new subsection to section 26.1-40-15.2 and a new subsection to section 26.1-40-15.3 of the North Dakota Century Code, relating to uninsured and underinsured motorists; and to amend and reenact sections 26.1-41-20 and 39-05-20.2 of the North Dakota Century Code, relating to motor vehicle accidents and salvage certificates of title.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 77 YEAS, 16 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Grande; Grosz; Gullerson; Haas; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Boucher; Delmore; Ekstrom; Froelich; Glassheim; Hanson; Kelsh, S.; Kerzman; Kretschmar; Mueller; Niemeier; Onstad; Schmidt; Solberg; Thorpe; Warner

**ABSENT AND NOT VOTING:** Norland

Engrossed HB 1190 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1204:** A BILL for an Act to amend and reenact sections 43-03-01, 43-03-02, 43-03-08, 43-03-09, 43-03-10, 43-03-11, 43-03-12, 43-03-13, 43-03-16, 43-03-17, 43-03-18, 43-03-19, 43-03-20, 43-03-21, 43-03-22, and 43-03-23 of the North Dakota Century Code, relating to the registration of architects and landscape architects; 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 85 YEAS, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

**NAYS:** Bellew; Delzer; Drovdal; Kelsch, R.; Kerzman; Klein, M.; Maragos; Porter; Wrangham

Engrossed HB 1204 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1252:** A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota Century Code, relating to security background checks of certain employees of the information technology department.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Belter; Delzer; Grosz; Ruby; Weisz

Engrossed HB 1252 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1282:** A BILL for an Act to create and enact two new subsections to section 53-06.2-04 of the North Dakota Century Code, relating to the duties of the racing commission; and to amend and reenact subsection 1 of section 53-06.2-02 and subsection 6 of section 53-06.2-11 of the North Dakota Century Code, relating to the appointment of racing commission members and the spending authority of the racing commission.

**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 63 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Boe; Boucher; Carlisle; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Haas; Hanson; Hawken; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein, F.; Klein, M.; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Porter; Potter; Price; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlson; Clark; Delzer; Ekstrom; Grande; Grosz; Gulleson; Headland; Herbel; Iverson; Kasper; Kelsh, S.; Kingsbury; Klemin; Koppelman; Monson; Pietsch; Pollert; Rennerfeldt; Ruby; Svedjan; Thoreson; Wieland

Engrossed HB 1282 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1309:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a corporate income tax credit for a portion of the cost of retrofitting a facility for producing or blending diesel fuel containing biodiesel fuel; 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 86 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Bellew; Carlson; Price; Rennerfeldt; Ruby; Skarphol; Timm

**ABSENT AND NOT VOTING:** Galvin

Engrossed HB 1309 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1321:** A BILL for an Act to create and enact a new section to chapter 6-09.7 of the North Dakota Century Code, relating to Bank of North Dakota agricultural real estate loan guarantees.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch;

Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Carlson; Kretschmar

Engrossed HB 1321 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1369:** A BILL for an Act to create and enact chapter 4-42, a new subsection to section 26.1-05-19, a new subdivision to subsection 1 of section 57-38-01.2, a new subdivision to subsection 1 of section 57-38-01.3, a new subdivision to subsection 2 of section 57-38-30.3, and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to the establishment and operation of the farmers equity trust fund and investments and income tax credits for investments for support of the fund; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

Engrossed HB 1369 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1414:** A BILL for an Act to create and enact a new section to chapter 23-07 of the North Dakota Century Code, relating to reporting disease outbreaks to the state department of health in an emergency; to amend and reenact sections 23-07-02, 23-07.6-01, 23-07.6-02, 23-07.6-03, 23-07.6-04, 23-07.6-05, 23-07.6-06, 23-07.6-07, 23-07.6-08, 23-07.6-09, 23-07.6-10, 23-07.6-11, 23-07.6-12, subsection 8 of section 23-35-08, subdivision h of subsection 2 of section 23-35-12, and subsection 2 of section 40-06-01, relating to disease reporting and quarantine or isolation of persons infected or potentially infected with contagious diseases; 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 81 YEAS, 12 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hawken; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Wieland; Wikenheiser; Williams; Winrich; Speaker Wentz

**NAYS:** Delzer; Devlin; Froelich; Hanson; Headland; Kerzman; Kroeber; Pollert; Severson; Svedjan; Weisz; Wrangham

**ABSENT AND NOT VOTING:** Zaiser

Engrossed HB 1414 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1457:** A BILL for an Act to amend and reenact subdivision c of subsection 1 and subsections 7 and 9 of section 40-63-03 of the North Dakota Century Code, relating to criteria for renaissance zones.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 8 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Severson; Sitte; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Amerman; Glassheim; Kroeber; Pollert; Sandvig; Skarphol; Solberg; Warner

Engrossed HB 1457 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1077:** A BILL for an Act to amend and reenact section 54-14-03.1 of the North Dakota Century Code, relating to fiscal irregularities reportable to the budget section.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 19 YEAS, 73 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Delmore; Ekstrom; Glassheim; Hanson; Kerzman; Kroeber; Metcalf; Mueller; Nelson; Niemeier; Onstad; Schmidt; Solberg; Thorpe; Warner; Winrich

**NAYS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Gulleson; Haas; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Monson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** DeKrey; Kelsh, S.

HB 1077 lost.

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### SECOND READING OF HOUSE BILL

**HB 1103:** A BILL for an Act to create and enact a new section to chapter 15-03, a new section to chapter 15-04, and an new section to chapter 15-07 of the North Dakota Century Code, relating to authority for payment of expenses by the board of university and school lands; to amend and reenact sections 15-03-01.2, 15-03-16, 15-04-23, 15-06-22, 15-08-04, and 47-30.1-23 of the North Dakota Century Code, relating to authority for the payment of expenses by the board of university and school lands; to repeal section 15-03-01.3 of the North Dakota Century Code; relating to apportionment of board of university and school lands maintenance fund balances; and to provide a continuing appropriation.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Delzer

HB 1103 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1162:** A BILL for an Act to amend and reenact sections 54-17.2-01, 54-17.2 -02.1, and 54-17.2-02.2, subsection 16 of section 54-17.2-03, and sections 54-17.2-04, 54-17.2-06, 54-17.2-07, 54-17.2-08, 54-17.2-09, 54-17.2-10, 54-17.2-11, 54-17.2-16, 54-17.2-19, 54-17.2-20, and 54-17.2-23 of the North Dakota Century Code, relating to financing the acquisition of software, equipment, or implementation services for the state by the building authority or any other project authorized by the legislative assembly.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 27 YEAS, 66 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Delmore; Eckre; Ekstrom; Froelich; Glassheim; Gulleson; Hanson; Johnson, N.; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Niemeier; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Warner; Warnke; Winrich; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Drovdal

HB 1162 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1193:** A BILL for an Act to amend and reenact section 39-21-41.4 of the North Dakota Century Code, relating to the use of safety belts.

**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, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.;

Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

HB 1193 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1199:** A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to duties of the department of commerce division of population growth; to amend and reenact section 54-60-02 of the North Dakota Century Code, relating to creation of a department of commerce division of population growth; and to provide for a legislative council study.

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

**YEAS:** Aarsvold; Amerman; Boucher; Delmore; Ekstrom; Froelich; Glassheim; Guleson; Hanson; Hunskor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Niemeier; Onstad; Potter; Schmidt; Solberg; Thorpe; Tieman; Warner; Williams; Winrich; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Wrangham; Speaker Wentz

HB 1199 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1261:** A BILL for an Act to amend and reenact subdivision h of subsection 2 of section 39-04-18 and section 39-12-04 of the North Dakota Century Code, relating to the width of forage harvesters and the registration of nonresident harvest vehicles; and to declare an emergency.

#### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Boucher; Kingsbury; Warner

HB 1261 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1275:** A BILL for an Act to amend and reenact section 54-01.1-03 of the North Dakota Century Code, relating to moving and related expenses as a result of projects undertaken by a state agency.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Kingsbury

HB 1275 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1282:** A BILL for an Act to create and enact two new subsections to section 53-06.2-04 of the North Dakota Century Code, relating to the duties of the racing commission; and to amend and reenact subsection 1 of section 53-06.2-02 and subsection 6 of section 53-06.2-11 of the North Dakota Century Code, relating to the appointment of racing commission members and the spending authority of the racing commission.

**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 63 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Boe; Boucher; Carlisle; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Haas; Hanson; Hawken; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein, F.; Klein, M.; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Porter; Potter; Price; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlson; Clark; Delzer; Ekstrom; Grande; Grosz; Gulleston; Headland; Herbel; Iverson; Kasper; Kelsh, S.; Kingsbury; Klemm; Koppelman; Monson; Pietsch; Pollert; Rennerfeldt; Ruby; Svedjan; Thoreson; Wieland

Engrossed HB 1282 passed and the title was agreed to.

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**MOTION**

**REP. BERG MOVED** that HB 1282 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, HB 1282 was rereferred.

**SECOND READING OF HOUSE BILL**

**HB 1284:** A BILL for an Act to create and enact a new section to chapter 49-21 of the North Dakota Century Code, relating to disclosure of customer information by telecommunications companies; and to provide a penalty.

**ROLL CALL**

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

**YEAS:** Warner

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

HB 1284 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1317:** A BILL for an Act to create and enact a new paragraph to subdivision a of subsection 11 of section 65-01-02 and a new section to chapter 65-05 of the North Dakota Century Code, relating to compensable injuries for workers' compensation; and to amend and reenact paragraph 10 of subdivision b of subsection 11 of section 65-01-02 of the North Dakota Century Code, relating to injuries not included as compensable injuries.

**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 46 YEAS, 48 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boehning; Boucher; Carlisle; Delmore; Devlin; Drovdal; Ekstrom; Froelich; Glassheim; Gullerson; Hanson; Hawken; Herbel; Hunskor; Johnson, D.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Potter; Price; Sandvig; Schmidt; Severson; Solberg; Thorpe; Uglem; Warner; Weiler; Winrich; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Brusegaard; Carlson; Clark; DeKrey; Delzer; Dosch; Eckre; Froseth; Galvin; Grande; Grosz; Haas; Headland; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Klein, M.; Klemin; Koppelman; Kretschmar; Monson; Norland; Pietsch; Pollert; Porter; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Wald; Warnke; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

HB 1317 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1323:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 26.1-25-02 of the North Dakota Century Code, relating to property and casualty insurance rates; and to amend and reenact sections 26.1-02-05, 26.1-25-02.1, and 26.1-25-04, subsection 4 of section 26.1-30-19, and sections 26.1-30.1-01, and 26.1-44-02 of the North Dakota Century Code, relating to insurance contracts issued to industrial concerns, exempt commercial policyholders, rate filings, filing of policy forms, cancellation and nonrenewal of commercial insurance, and surplus lines insurance.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 10 YEAS, 83 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Froseth; Galvin; Johnson, N.; Keiser; Klemin; Maragos; Niemeier; Ruby; Wald

**NAYS:** Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

HB 1323 lost.

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### SECOND READING OF HOUSE BILL

**HB 1326:** 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 construction of primary residences in certain small cities; 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 31 YEAS, 63 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Brusegaard; Carlisle; DeKrey; Devlin; Froseth; Galvin; Glassheim; Gulleston; Keiser; Kempenich; Kretschmar; Maragos; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Onstad; Pollert; Sandvig; Severson; Sitte; Skarphol; Timm; Wald; Warner; Weisz

**NAYS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Carlson; Clark; Delmore; Delzer; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Grande; Grosz; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier; Norland; Nottestad; Pietsch; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Warnke; Weiler; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

HB 1326 lost.

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### SECOND READING OF HOUSE BILL

**HB 1330:** A BILL for an Act to repeal sections 28-29-04, 28-29-05, and 28-29-06 of the North Dakota Century Code, relating to powers of courts when agricultural prices are confiscatory.

### 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 55 YEAS, 39 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Dosch; Drovdal; Grande; Grosz; Haas; Hanson; Hawken; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kempenich; Kingsbury; Klein, F.; Klemin; Koppelman; Maragos; Martinson; Meier; Nelson; Nicholas; Niemeier; Norland; Pietsch; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Wald; Warnke; Weiler; Weisz; Wieland; Williams; Speaker Wentz

**NAYS:** Aarsvold; Amerman; Boucher; Delmore; Devlin; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gulleston; Headland; Hunskor; Kelsch, R.; Kelsh, S.; Kerzman; Klein, M.; Kreidt; Kretschmar; Kroeber; Metcalf; Monson; Mueller; Nottestad; Onstad; Pollert; Porter; Price; Severson; Sitte; Tieman; Timm; Uglem; Warner; Wikenheiser; Winrich; Wrangham; Zaiser

HB 1330 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1331:** A BILL for an Act to amend and reenact section 15.1-30-01 of the North Dakota Century Code, relating to the transportation of students.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Drovdal; Keiser; Klemin

**ABSENT AND NOT VOTING:** Bellew; Kelsh, S.; Nicholas

HB 1331 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1335:** A BILL for an Act to amend and reenact section 24-01-01.2 of the North Dakota Century Code, relating to the state highway system.

### 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 57 YEAS, 36 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Bernstein; Boe; Boucher; Delmore; Devlin; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gulleson; Haas; Hanson; Hawken; Hunskor; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Potter; Schmidt; Severson; Solberg; Svedjan; Tieman; Uglem; Warner; Warnke; Wieland; Wikenheiser; Williams; Speaker Wentz

**NAYS:** Bellew; Belter; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Dosch; Grande; Grosz; Headland; Herbel; Iverson; Kasper; Keiser; Klein, F.; Klein, M.; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Thoreson; Thorpe; Timm; Wald; Weiler; Weisz; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Winrich

HB 1335 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1342:** A BILL for an Act to amend and reenact section 57-38-34.3 of the North Dakota Century Code, relating to replacing optional contributions to the nongame wildlife fund on income tax forms with optional contributions to the silver-haired education association; to provide a continuing appropriation; 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 4 YEAS, 90 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Delmore; Maragos; Thorpe; Wikenheiser

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

HB 1342 lost.

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#### MOTION

**REP. BERG MOVED** that HB 1350 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, HB 1350 was rereferred.

#### SECOND READING OF HOUSE BILL

**HB 1355:** A BILL for an Act to amend and reenact sections 6-03-13.6, 6-08-29, 7-02-15, and 47-10.2-05 of the North Dakota Century Code, relating to notice of mortgagee payment of interest on escrow account funds and statutory reference correction.

#### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Delzer; Skarphol

HB 1355 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1360:** A BILL for an Act to amend and reenact section 41-09-86 of the North Dakota Century Code, relating to the duration of filed financing statements.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Zaiser

HB 1360 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1364:** A BILL for an Act to amend and reenact section 49-02-21 of the North Dakota Century Code, relating to the raising and lowering of communication lines.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleason; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Zaiser

HB 1364 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1366:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to liability insurance for motor vehicles.

**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, 66 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boehning; Boucher; Delmore; Glassheim; Gulleason; Hanson; Herbel; Keiser; Kingsbury; Klein, M.; Klemin; Koppelman; Kretschmar; Meier; Monson; Nelson; Niemeier; Nottestad; Onstad; Potter; Schmidt; Skarphol; Solberg; Warnke; Winrich; Speaker Wentz

**NAYS:** Amerman; Bellew; Belter; Berg; Bernstein; Boe; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein, F.; Kreidt; Kroeber; Maragos; Martinson; Metcalf; Mueller; Nicholas; Norland; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Sitte; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham

**ABSENT AND NOT VOTING:** Zaiser

HB 1366 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1368:** A BILL for an Act to amend and reenact subsection 1 of section 39-04-12 of the North Dakota Century Code, relating to the distinctive number on vehicle number plates.

**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 16 YEAS, 74 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Boe; Boehning; DeKrey; Drovdal; Froelich; Haas; Herbel; Kempenich; Kerzman; Klein, F.; Maragos; Nelson; Onstad; Schmidt

**NAYS:** Aarsvold; Bellew; Berg; Bernstein; Boucher; Brusegaard; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Dosch; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Hanson; Hawken; Headland; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein, M.; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Niemeier; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Nicholas; Solberg; Thorpe; Zaiser

HB 1368 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1374:** A BILL for an Act to amend and reenact section 21-04-09 of the North Dakota Century Code, relating to security for the repayment of deposits of public funds.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Thorpe; Zaiser

HB 1374 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1377:** A BILL for an Act to provide for rights of organization and representation of state employees, collective bargaining negotiations between the state of North Dakota and its employees, a state employment relations board, and public employment relations.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 28 YEAS, 64 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Delmore; Eckre; Ekstrom; Froelich; Glassheim; Gullerson; Hanson; Hunskor; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Maragos; Metcalf; Mueller; Niemeier; Onstad; Potter; Sandvig; Schmidt; Solberg; Warner; Williams; Winrich; Zaiser

**NAYS:** Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemmin; Koppelman; Kreidt; Martinson;

Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Bellew; Thorpe

HB 1377 lost.

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### SECOND READING OF HOUSE BILL

**HB 1380:** A BILL for an Act to amend and reenact subsection 3 of section 20.1-03-11 of the North Dakota Century Code, relating to gratis licenses to hunt deer.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Thorpe

HB 1380 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1382:** A BILL for an Act to amend and reenact section 34-14-02 of the North Dakota Century Code, relating to direct deposit of wages.

### 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 59 YEAS, 33 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Berg; Bernstein; Boehning; Carlisle; Carlson; DeKrey; Delzer; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Hanson; Hawken; Headland; Herbel; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Monson; Mueller; Niemeier; Norland; Pietsch; Pollert; Porter; Potter; Price; Ruby; Skarphol; Svedjan; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Speaker Wentz

**NAYS:** Amerman; Bellew; Belter; Boe; Boucher; Brusegaard; Clark; Delmore; Devlin; Ekstrom; Glassheim; Gulleson; Haas; Hunskor; Iverson; Kelsh, S.; Klein, F.; Metcalf; Nelson; Nottestad; Onstad; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Solberg; Thoreson; Warner; Williams; Winrich; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Nicholas; Thorpe

HB 1382 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1390:** A BILL for an Act to amend and reenact section 27-03-05 of the North Dakota Century Code, relating to fees collected by the clerk of the supreme court; and to provide a continuing appropriation.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Delzer

**ABSENT AND NOT VOTING:** Nicholas; Thorpe

HB 1390 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1393:** A BILL for an Act to create and enact a new section to chapter 15-11 of the North Dakota Century Code, relating to the naming of the Ralph Engelstad arena.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Clark; Ekstrom; Kelsh, S.

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

HB 1393 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1395:** A BILL for an Act to amend and reenact sections 5-02-05 and 5-02-05.1 of the North Dakota Century Code, relating to the consumption of alcoholic beverages.

**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 49 YEAS, 43 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Berg; Boe; Boehning; Boucher; Clark; Delmore; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grosz; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Klein, F.; Klemin; Kretschmar; Kroeber; Maragos; Meier; Nelson; Nottestad; Onstad; Pietsch; Porter; Potter; Price; Ruby; Severson; Solberg; Svedjan; Thoreson; Tieman; Timm; Warnke; Wieland; Winrich; Wrangham; Zaiser

**NAYS:** Aarsvold; Bellew; Belter; Bernstein; Brusegaard; Carlisle; Carlson; DeKrey; Delzer; Devlin; Dosch; Eckre; Grande; Gulleson; Haas; Johnson, D.; Keiser; Kerzman; Kingsbury; Klein, M.; Koppelman; Kreidt; Martinson; Metcalf; Monson; Mueller; Nicholas; Niemeier; Norland; Pollert; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Uglem; Wald; Warner; Weiler; Weisz; Wikenheiser; Williams; Speaker Wentz

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

HB 1395 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1401:** A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to pro se representation forms for noncustodial parents.

### 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 6 YEAS, 85 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Glassheim; Maragos; Nicholas; Sandvig; Winrich; Zaiser

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Froelich; Severson; Timm

HB 1401 lost.

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### SECOND READING OF HOUSE BILL

**HB 1406:** A BILL for an Act to amend and reenact sections 4-35-06.2 and 4-35-06.3 of the North Dakota Century Code, relating to the pesticide control board; and to repeal section 4-35-30 of the North Dakota Century Code, relating to the crop protection product harmonization and registration board.

### 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 20 YEAS, 74 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Ekstrom; Glassheim; Gulleson; Kelsh, S.; Kerzman; Metcalf; Mueller; Niemeier; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Warner; Winrich; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froelich; Froseth; Galvin; Grande; Grosz; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

HB 1406 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1407:** A BILL for an Act to amend and reenact section 43-15-35 of the North Dakota Century Code, relating to the requirements for a permit to operate a pharmacy; 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 4 YEAS, 88 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Brusegaard; Ekstrom; Kelsh, S.; Svedjan

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

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

HB 1407 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1409:** A BILL for an Act to amend and reenact subdivision j of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to disabled American veterans' number plates.

**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, 79 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Carlisle; DeKrey; Glassheim; Kelsh, S.; Klein, F.; Maragos; Martinson; Metcalf; Mueller; Schmidt; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlson; Clark; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Meier; Monson; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Zaiser; Speaker Wentz

HB 1409 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1410:** A BILL for an Act to amend and reenact section 16.1-03-03, subsection 2 of section 16.1-03-07, and section 16.1-03-11 of the North Dakota Century Code, relating to political party organization.

**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, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.;

Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

HB 1410 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1413:** A BILL for an Act to create and enact a new section to chapter 6-01, two new sections 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 and powers of the commissioner of financial institutions and securities commissioner to the insurance commissioner and to establish a department of finance services under the direction of the insurance commissioner; to amend and reenact sections 6-01-01, 6-01-01.1, 6-01-02, 6-01-03, 6-01-04, 6-01-04.1, 6-01-04.2, 6-01-05, 6-01-07, 6-01-07.1, 6-01-09, 6-01-10, 6-01-13, and 6-01-14, subsection 1 of section 6-01-15, sections 6-01-16, 6-01-17, 6-01-17.2, 6-01-18, 6-01-19, 6-01-25, 6-01-30, 6-01-31, and 6-02-01, subsection 7 of section 6-03-02, sections 6-03-05, 6-03-11, 6-03-13.1, 6-03-47.3, 6-03-47.4, 6-05-02, 6-05-11.1, 6-05-15.5, 6-06-06, 6-06-08, and 6-06-08.4, subdivision a of subsection 2 of section 6-06-35, sections 6-06-36, 6-06-37, and 6-07.1-21, subsection 3 of section 6-08.3-01, section 6-08.3-09, subsection 1 of section 6-13-01, sections 7-01-03, 7-01-09, 7-03-04, 7-05-01, 7-05-03, and 10-04-03, subsection 2 of section 10-04-05, subdivision c of subsection 3 of section 10-04-07, sections 10-04-07.1, 10-04-08, 10-04-09, and 10-04-10, subdivision c of subsection 2 of section 12.1-06.1-01, sections 26.1-01-01, 26.1-01-02, 26.1-01-07, 26.1-01-07.1, 26.1-01-07.2, and 26.1-06-12, subsection 3 of section 43-10.1-01, subsection 4 of section 51-19-02, subsection 3 of section 51-23-02, subsection 1 of section 54-06-04, and subsection 1 of section 54-07-01.2, relating to the transfer of duties and powers of the commissioner of financial institutions and securities commissioner to the insurance commissioner; to repeal sections 6-01-08, 6-01-11, and 26.1-01-09 of the North Dakota Century Code, relating to the appointment and salary of the commissioner of financial institutions and the salary and official seal of the insurance commissioner; to provide legislative council authority to correct statutory references; to provide for penalties; and to provide an appropriation and for the transfer of funds from the department of financial services, securities commissioner, and department of the insurance commissioner to the department of finance services.

### 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 6 YEAS, 87 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Belter; Clark; DeKrey; Koppelman; Thoreson; Warnke

**NAYS:** Aarsvold; Amerman; Bellew; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Kelsh, S.

HB 1413 lost.

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### SECOND READING OF HOUSE BILL

**HB 1419:** A BILL for an Act to amend and reenact sections 27-02.1-01, 27-02.1-02, 27-02.1-03, 27-02.1-04, 27-02.1-05, 27-02.1-06, 27-02.1-07, 27-02.1-08, and

27-02.1-09 of the North Dakota Century Code, relating to the temporary court of appeals; to provide an effective date; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

HB 1419 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1422:** A BILL for an Act to amend and reenact subsection 6 of section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for purchases by an Indian tribe; 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 15 YEAS, 79 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boucher; Drovdal; Froelich; Glassheim; Hunskor; Kelsh, S.; Kerzman; Maragos; Niemeier; Onstad; Sandvig; Winrich; Zaiser

**NAYS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Eckre; Ekstrom; Froseth; Galvin; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

HB 1422 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1429:** A BILL for an Act relating to a forage legumes and grass board and restricted weed standards; and to provide a penalty.

#### ROLL CALL

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

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke;

Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser;  
Speaker Wentz

**ABSENT AND NOT VOTING:** Thorpe; Warner

HB 1429 lost.

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#### MOTION

**REP. BERG MOVED** that HB 1433 be moved to the bottom of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1441:** A BILL for an Act to authorize the state to purchase oil put options; to provide an appropriation; 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 57 YEAS, 37 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Berg; Bernstein; Boe; Boehning; Boucher; Clark; Delmore; Dosch; Ekstrom; Froelich; Glassheim; Grande; Gulleson; Hanson; Hawken; Headland; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Klein, F.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Porter; Price; Schmidt; Severson; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Warnke; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

**NAYS:** Amerman; Bellew; Belter; Brusegaard; Carlisle; Carlson; DeKrey; Delzer; Devlin; Drovdal; Eckre; Froseth; Galvin; Grosz; Haas; Herbel; Kasper; Keiser; Kerzman; Kingsbury; Klein, M.; Meier; Norland; Pollert; Potter; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Solberg; Timm; Wald; Warner; Weiler; Weisz; Wrangham

HB 1441 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1446:** A BILL for an Act to amend and reenact subdivision s of subsection 1 of section 50-09-29 of the North Dakota Century Code, relating to the temporary assistance for needy families program benefits.

#### 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, 69 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Delmore; Froelich; Glassheim; Gulleson; Hanson; Hunskor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Niemeier; Onstad; Potter; Sandvig; Schmidt; Skarphol; Thorpe; Warner; Williams; Winrich; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Severson; Sitte; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Wrangham; Speaker Wentz

HB 1446 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1447:** A BILL for an Act to designate the use of Bank of North Dakota profits.

**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, 66 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Delmore; Ekstrom; Froelich; Glassheim; Gulleon; Hanson; Hunskor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Nicholas; Niemeier; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Warner; Winrich; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovda; Eckre; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier; Monson; Nelson; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Ruby

HB 1447 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1455:** A BILL for an Act to amend and reenact section 65-05-16 of the North Dakota Century Code, relating to workers' compensation death benefits.

**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, 66 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Delmore; Froelich; Glassheim; Gulleon; Hanson; Hunskor; Kelsh, S.; Kerzman; Kroeber; Maragos; Metcalf; Mueller; Niemeier; Onstad; Potter; Price; Sandvig; Schmidt; Solberg; Thorpe; Warner; Williams; Winrich; Speaker Wentz

**NAYS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froseth; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier; Monson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Nelson

HB 1455 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1460:** A BILL for an Act to amend and reenact subsection 1 of section 50-09-29 of the North Dakota Century Code, relating to temporary assistance for needy families benefits.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 28 YEAS, 65 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Delmore; Ekstrom; Froelich; Glassheim; Gulleon; Hanson; Hunskor; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Metcalf; Mueller; Niemeier; Onstad; Potter; Sandvig; Schmidt; Thorpe; Warner; Williams; Winrich; Zaiser; Speaker Wentz

**NAYS:** Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovda; Eckre; Froseth; Galvin; Grande; Grosz; Haas;

Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Solberg; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Wrangham

**ABSENT AND NOT VOTING:** Svedjan

HB 1460 lost.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2261.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2063, SB 2143, SB 2260, SB 2312, SB 2340, SB 2365, SB 2378, SB 2383, SB 2384.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1035, HB 1213, HB 1235, HB 1270, HB 1294, HB 1295, HB 1306, HB 1312, HB 1378.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1215.

**REPORT OF STANDING COMMITTEE**

**HB 1123: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1123 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 amend and reenact section 23-01-08 of the North Dakota Century Code, relating to authority of the state health officer to appoint a deputy state health officer.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 23-01-08 of the North Dakota Century Code is amended and reenacted as follows:

**23-01-08. Directors of divisions - Deputy - Appointment, salary, duties.**

The state health officer shall appoint directors of the various divisions of the department and shall determine the salary, within the limits of legislative appropriations to the department and in conformity with the state merit system, to be received by such persons. The duties of such director must be those prescribed by the state health officer. The state health officer may appoint a deputy state health officer. The deputy state health officer must hold, at a minimum, a baccalaureate degree in a health-related field, such as epidemiology or public health. The deputy state health officer serves at the pleasure of the state health officer.

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1148: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1148 was placed on the Sixth order on the calendar.

Page 1, line 14, after "easements" insert "to a political subdivision"

Page 1, line 21, after "district" insert "or other political subdivision" and after "board" insert "or the governing body of another political subdivision"

Page 2, line 6, replace "twenty-five" with "fifty"

Page 2, line 7, replace "30837.04" with "61674.08" and after "water", insert "or twenty-five acre-feet [30837.04 cubic meters] of water for a medium-hazard and high-hazard dam,"

Page 2, line 9, remove "completed by a professional engineer"

Page 2, line 10, remove "registered in this state" and after the period insert "Except for low-hazard dams less than ten feet [3.05 meters] in height, the plans and specifications must be completed by a professional engineer registered in this state."

Page 2, line 26, replace "twenty-five" with "fifty"

Page 2, line 27, replace "30837.04" with "61674.08" and after "water" insert "or twenty-five acre-feet [30837.04 cubic meters] of water for a medium-hazard or high-hazard dam"

Page 3, line 6, replace "twenty-five" with "fifty" and replace "30837.04" with "61674.08"

Page 3, line 7, after "water" insert "or twenty-five acre-feet [30837.04 cubic meters] of water for a medium-hazard or high-hazard dam"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1253: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1253 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subdivision c of subsection 2 of section 39-06.1-06, paragraph 34 of subdivision a of subsection 3 of section 39-06.1-10, and"

Page 1, line 2, after "devices" insert "; and to provide an effective date"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subdivision c of subsection 2 of section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

- c. A violation of section 39-21-41.2, ~~no a feemay be imposed by the state, a city, or a county including a city or county operating under a home rule charter of twenty-five dollars.~~

**SECTION 2. AMENDMENT.** Paragraph 34 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

- (34) Failing to have a minor in a child restraint system or ~~seatbelt~~ safety belt in violation of section 39-21-41.2" 1 point

Page 1, line 7, replace "five" with "six"

Page 1, line 9, overstrike "The child restraint system must meet the standards adopted by the United"

Page 1, line 10, overstrike "States department of transportation for those systems [49 CFR 571.213]."

Page 1, line 12, after the period insert "If a child weighs more than forty pounds [18.14 kilograms] and only lapbelts are available in the back seat of the vehicle, a lapbelt may be used in place of a child restraint system."

2."

Page 1, line 13, replace "five" with "six"

Page 1, line 15, overstrike "seatbelt" and insert immediately thereafter "safety belt" and after the period insert:

3."

Page 1, line 16, overstrike "seatbelts" and insert immediately thereafter "safety belts"

Page 1, line 17, overstrike the first "seatbelts" and insert immediately thereafter "safety belts" and overstrike the second "seatbelts" and insert immediately thereafter "safety belts"

Page 1, after line 19, insert:

"4. As used in this section, "child restraint system" means a specifically designed device, seating system, or belt-positioning booster that meets the federal motor vehicle safety standards and which is permanently affixed to a motor vehicle, is affixed to a vehicle by a safety belt or universal attachment system, or is combined with a federally compliant safety belt system."

Page 1, line 20, overstrike "2." and insert immediately thereafter "5."

Page 1, after line 22, insert:

"**SECTION 4. EFFECTIVE DATE.** This Act becomes effective on January 1, 2004."

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1255: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1255 was placed on the Sixth order on the calendar.

Page 2, remove lines 9 and 10

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1264: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1264 was placed on the Sixth order on the calendar.

Page 1, line 8, remove the colon

Page 1, line 9, replace "a. Insurance" with "insurance"

Page 1, line 11, replace "b. Insurance" with "insurance"

Page 1, line 15, after the period insert ""Controlled business" does not include a crop insurance business sold by a licensee to the owners of the licensee who were owners as of January 1, 2003, provided the licensee was licensed before January 1, 2003."

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1265: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1265 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "An" with "Except as otherwise provided under this section, an"

Page 1, line 8, replace "unless" with ". An insurance producer may charge a fee for a service rendered in connection with soliciting, negotiating, or servicing of bonds, a group health insurance contract, group life insurance contract, or commercial insurance contract if"

Page 1, line 9, replace "unless" with "if"

Page 1, line 11, remove "and" and after "commission" insert ", and that the insurer is not responsible for any part of the fees and does not receive any portion of the fees"

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1278: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1278 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "open"

Page 1, line 11, remove "public road" and overstrike "along the lines of" and insert immediately thereafter "public road to gain access to"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1280: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1280 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 3 of section 57-15-01.1 and"

Page 1, line 2, after "city" insert "and park district"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 3 of section 57-15-01.1 of the North Dakota Century Code is amended and reenacted as follows:

3. A taxing district may elect to levy the amount levied in dollars in the base year. However, a city or park district may elect to levy the amount levied in dollars in the base year adjusted by the consumer price index. Any levy under this section must be specifically approved by a resolution approved by the governing body of the taxing district. Before determining the levy limitation under this section, the dollar amount levied in the base year must be:
  - a. Reduced by an amount equal to the sum determined by application of the base year's calculated mill rate for that taxing district to the final base year taxable valuation of any taxable property and property exempt by local discretion or charitable status which is not included in the taxing district for the budget year but was included in the taxing district for the base year.
  - b. Increased by an amount equal to the sum determined by the application of the base year's calculated mill rate for that taxing district to the final budget year taxable valuation of any taxable property or property exempt by local discretion or charitable status which was not included in the taxing district for the base year but which is included in the taxing district for the budget year.
  - c. Reduced to reflect expired temporary mill levy increases authorized by the electors of the taxing district.
  - d. For purposes of this subsection, "consumer price index" means the percentage change in the consumer price index for all nonmetropolitan consumers in the midwest region as determined by the United States department of labor, bureau of labor statistics, for the most recent year ending December thirty-first.

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1289: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1289 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "twenty-five" with "the amount of the employer-provided child care credit allowed to that employer under Internal Revenue Code section 45F [26 U.S.C.

45F], which is attributable to amounts paid or incurred to or for qualified child care facilities in this state.

2. An employer is not entitled to the credit under this section unless the employer offers a benefit of comparable worth to its employees who do not use the employer's employee child care program or child care contribution."

Page 1, remove lines 11 through 24

Page 2, remove lines 1 through 27

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1307: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1307 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "two" with "three"

Page 1, line 14, remove "ten-day periods in the first twenty days of"

Page 1, remove line 15

Page 1, line 16, overstrike "statewide" and insert immediately thereafter "ten-day periods in the first thirty days of the season or a period anytime after the thirtieth day of the season", remove the overstrike over "~~A license authorizing~~", after "~~7-day~~" insert "three 10-day", and remove the overstrike over "~~hunting periods allows hunting in a specified zone~~"

Page 1, line 17, remove the overstrike over "~~during each period~~" and insert immediately thereafter "Licenses are valid within specified zones as follows: the first zone is established as that portion of the state north of a line beginning at the intersection of the Red River and state highway 200, proceeding west along state highway 200 to the intersection of United States interstate 29, north along United States interstate 29 to state highway 200, and proceeding west along state highway 200 to the intersection with United States highway 52, proceeding along United States highway 52 until its intersection with United States highway 2, proceeding along United States highway 2 to its intersection with the Montana border; the second zone is that area south and east of a line beginning at the intersection of state highway 200 and the Red River, proceeding west along state highway 200 to the intersection of United States interstate 29, proceeding north along United States interstate 29 to state highway 200, and proceeding west along state highway 200 to the intersection with United States highway 281, and proceeding south along United States highway 281 to the South Dakota border. The third zone is the remainder of the state as excluded by the first and second zones." and remove the overstrike over "~~various~~"

Page 1, remove the overstrike over line 18

Page 1, line 19, remove the overstrike over "~~may specify~~" and remove the overstrike over "~~in each zone~~"

Page 1, line 20, after "~~issued~~" insert "in each season"

Page 1, line 21, replace "two" with "three" and replace "twenty" with "thirty"

Page 1, line 22, replace "twentieth" with "thirtieth"

Page 2, line 2, overstrike "per year" and insert immediately thereafter "in the first thirty days. A nonresident is not required to purchase a second license on the thirty-first day and zones do not apply to those licenses"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1308: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1308 was placed on the Sixth order on the calendar.

Page 2, line 5, overstrike "fifty" and insert immediately thereafter "five hundred"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1345: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1345 was placed on the Sixth order on the calendar.

Page 1, line 2, after "code" insert "; and to amend and reenact section 54-21.3-07 of the North Dakota Century Code, relating to modular residential and commercial structures"

Page 1, after line 10, insert:

**"SECTION 2. AMENDMENT.** Section 54-21.3-07 of the North Dakota Century Code is amended and reenacted as follows:

**54-21.3-07. Modular residential and commercial structures - Third-party inspections - Rules.** The manufacturer of a modular residential or commercial structure that is built in a factory ~~may~~ shall contract with a third party for the inspection of the structure for compliance with all applicable building, electrical, fire, and plumbing codes and standards during the manufacturing process in the factory. A third party that conducts inspections and certifies compliance with all applicable codes and standards must be approved as a certified third-party inspector by the division of community services. The department of commerce shall adopt rules for the certification of inspectors and for the procedures to be followed in conducting inspections of modular residential and commercial structures. # When a manufacturer of modular residential or commercial structures contracts with a certified third-party inspector to monitor compliance with all applicable building, electrical, fire, and plumbing codes and standards for a modular residential or commercial structure, no further inspection by state or local building, electrical, fire, or plumbing inspectors may be required for that structure during the manufacturing process in the factory. This section does not apply to a factory manufacturing fewer than six residential or commercial structures per year."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1411: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1411 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 section 40-47.3-01.2 of the North Dakota Century Code, relating to the imposition of a city motor vehicle rental tax; and to amend and reenact section 40-47.3-02 of the North Dakota Century Code, relating to the establishment of the city visitors' promotion fund.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1.** Section 40-57.3-01.2 of the North Dakota Century Code is created and enacted as follows:

40-57.3-01.2. City motor vehicle rental tax - Imposition - Amount - Disposition - Definitions. The governing body of any city may impose, by ordinance, a city tax at a rate not to exceed one percent upon the gross receipts of a retailer on the rental of any motor vehicle for fewer than thirty days. The tax imposed under this section is in addition to state sales taxes on the rental of motor vehicles for fewer than thirty days. Any city that imposes the tax under this section shall deposit all proceeds in the city visitors' promotion fund. For purposes of this section, "motor vehicle" means a motorized passenger vehicle designed to be operated on highways and "retailer" means a company for which the primary business is the renting of motor vehicles for periods of fewer than thirty days.

**SECTION 2. AMENDMENT.** Section 40-57.3-02 of the North Dakota Century Code is amended and reenacted as follows:

**40-57.3-02. City visitors' promotion fund - City visitors' promotion capital construction fund - Visitors' committee - Establishment - Purpose.** The governing body of any city which imposes a city tax pursuant to section 40-57.3-01 or, 40-57.3-01.1, or 40-57.3-01.2 shall, as appropriate, establish a city visitors' promotion fund, a city visitors' promotion capital construction fund, and a visitors' committee. The visitors' committee shall serve as an advisory committee to the city governing body in administering the proceeds from the taxes available to the city under this chapter. The moneys in the visitors' promotion fund must be used generally to promote, encourage, and attract visitors to come to the city and use the travel and tourism facilities within the city. The moneys in the visitors' promotion capital construction fund must be used generally for tourism or the purchase, equipping, improving, construction, maintenance, repair, and acquisition of buildings or property consistent with visitor attraction or promotion. The committee shall consist of five members appointed by the governing body of the city. These appointees shall serve without compensation, except for reimbursement for necessary expenses. Committee members shall serve for a term of four years, except that two of those initially appointed must be appointed for an initial term of two years. Vacancies must be filled in the same manner as the initial appointment. The committee shall elect a chairperson and vice chairperson from among its members to serve for a term of two years."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1416: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1416 was placed on the Sixth order on the calendar.

Page 1, line 7, after "sale" insert "at on-sale" and after "concessionaires" insert "for fourteen events per year"

Page 1, line 9, after "river" insert "and which is within fifteen miles [24.14 kilometers] of a city with a population in excess of twenty thousand"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1417: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1417 was placed on the Sixth order on the calendar.

Page 1, line 22, after the period insert "The term does not include the tax commissioner."

Page 9, line 23, after "commerce" insert ", the tax commissioner,"

Page 9, line 24, remove "with"

Page 10, line 5, after "commerce" insert ", the tax commissioner,"

Page 10, after line 9, insert:

"8. If the development assistance to be repaid was claimed on an income tax return filed by the recipient under chapter 57-38, the recipient shall file an amended return and pay any additional tax due attributable to the defaulted development assistance within sixty calendar days of the delivery of the default notice. The time limits for audit and assessment under subsection 9 of section 57-38-38 apply to an amended return filed under this section.

9. Notwithstanding the time periods in section 57-38-38, if the recipient fails to file an amended return under subsection 8, the tax commissioner may assess any additional tax due attributable to the defaulted development assistance within two years after the sixtieth calendar day following the tax commissioner's receipt of the default notice."

Page 10, line 10, replace "8." with "10."

Page 10, line 13, replace "9." with "11."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1430: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1430 was placed on the Sixth order on the calendar.

Page 1, line 1, remove the second "to"

Page 1, line 2, after "services" insert "; and to declare an emergency"

Page 1, line 8, remove "peer-review medical literature,"

Page 2, line 14, replace "eleven" with "eighteen"

Page 2, line 16, replace "Four" with "Six"

Page 2, line 17, after "medicine" insert ", four of whom are"

Page 2, line 19, replace "Five pharmacist" with "Six pharmacists"

Page 2, line 20, replace "and" with "four of whom are"

Page 2, line 22, replace "One person" with "Two individuals" and replace "is a resident" with "are residents"

Page 2, line 23, remove "and"

Page 2, line 24, replace "One person" with "Two individuals"

Page 2, line 26, replace the period with ";

e. The pharmacy administrator of the department; and

f. The medical consultant to the department."

Page 2, line 27, replace "One physician, one" with "Two physicians, two pharmacists"

Page 2, line 28, remove "pharmacist" and replace "the" with "one"

Page 2, line 29, replace "one physician" with "two physicians" and replace "the" with "one"

Page 3, line 1, remove "nominee lists for"

Page 3, line 5, replace "monthly" with "once every two months"

Page 3, line 7, after "The" insert "duties of the board must be consistent with 42 U.S.C. 1396r-8(g)(3). In addition, the"

Page 3, line 16, replace "part" with "Act"

Page 5, line 17, after the period insert "Members appointed to the committee may be appointed from among the board and may also serve as members of the board."

Page 5, line 18, replace "eleven" with "eight"

Page 5, line 20, replace "Five" with "Three" and after "physicians" insert "of different medical specialties"

Page 5, line 21, after "medicine" insert "who may be" and after "from" insert "among physician members of the board or from"

Page 5, line 23, replace "Four" with "Three"

Page 5, line 24, after the comma insert "who may be" and after "from" insert "among the pharmacist members of the board or from"

Page 5, line 30, replace "Board" with "Committee" and replace "Two physicians" with "One physician"

Page 6, line 21, replace "a semiannual" with "at least an annual"

Page 6, line 28, after "the" insert "completed"

Page 7, line 6, replace the comma with "or"

Page 7, line 7, remove "or peer-review literature"

Page 7, line 8, after the period insert "The department may contract with third parties to collect and analyze the documentation required by this subsection."

Page 8, remove lines 25 through 29

Page 8, line 30, replace "4." with "3."

Page 9, line 3, after "department" insert "under chapter 28-32"

Page 9, line 4, replace "5." with "4." and replace "every six" with "not less than once each year"

Page 9, line 5, remove "months"

Page 9, line 6, replace "6." with "5."

Page 9, after line 8, insert:

**"SECTION 8. Denial or delay of care.** Notwithstanding any other provision of law, any individual whose health care has been denied or delayed more than twenty-four hours as a result of an administrative procedure implemented by the department or any of its contractors may bring an action in district court. The administrative procedures include prior authorization, formularies, preferred drug lists, step therapy, or treatment protocols. The court may provide equitable relief and specific remedies. If a department contractor has acted with disregard for the prescribing physician's judgment regarding medically necessary care for the individual, the court may provide for exemplary damages. If the court finds against the department, the court shall award reasonable attorney's fees and court costs, regardless of whether the court awards specific relief or damages to the plaintiff.

**SECTION 9. Preferred drug list procedures.** A pharmaceutical manufacturer may appeal to the district court a decision of the department or its contractor to exclude a specific drug from a preferred drug list or formulary on the grounds that the decision is arbitrary, unfair, or a violation of state law, or in the case of a single source drug, on the grounds that the exclusion is not consistent with 42 U.S.C. 1396r-8(d)(4).

**SECTION 10. Financial incentives prohibited.** The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a participating provider based on the denial or delay of medically necessary and appropriate prescription drug therapy, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the medical assistance program."

Page 9, after line 10, insert:

**"SECTION 12. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1435: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1435 was placed on the Sixth order on the calendar.

Page 1, line 14, remove "d. Owned by a municipal utility or cooperative electric association;"

Page 1, line 15, replace "e." with "d."

Page 5, line 8, after the second boldfaced period insert:

"1."

Page 5, after line 12, insert:

- "2. The appropriation provided in subsection 1 is contingent upon an increase in income tax revenues to the state from qualified wind energy conversion facilities in an amount sufficient to fund the appropriation. The tax commissioner shall certify to the state treasurer the amount of income tax revenue deposited in the state general fund from qualified wind energy facilities at least annually, beginning May 1, 2004. The state treasurer may not release more state general fund moneys than the amounts certified by the tax commissioner under this subsection during the 2003-05 biennium or the amount appropriated by subsection 1, whichever is less."

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1449: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1449 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1451: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1451 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "for bids"

Page 1, line 5, replace "tunnel" with "south" and remove "licensed"

Page 1, line 6, remove "contractors and" and after "architects" insert "registered in this state"

Page 1, line 8, replace "express their preferences among" with "comment on" and replace "bids" with "submittals"

Page 1, line 10, after the period insert "The commission shall award the contract for the design of the project to the first-place winner."

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1464: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1464 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1473: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1473 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1475: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1475 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 provide for a legislative council study of the feasibility and desirability of a Bank of North Dakota credit card program."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**"SECTION 1. BANK OF NORTH DAKOTA CREDIT CARD PROGRAM - LEGISLATIVE COUNCIL STUDY.** The legislative council shall consider studying, during the 2003-04 interim, the feasibility and desirability of authorizing the Bank of North Dakota to administer a credit card program, with services that may include credit

card processing, servicing, and issuing. If the study is selected by the legislative council, the legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1492: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1492 was placed on the Sixth order on the calendar.

Page 2, line 8, remove "county treasurer may deem a", after "person" insert "is", and after "bidder" insert "for property classified as residential or commercial"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3043: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HCR 3043 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3044: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HCR 3044 was placed on the Eleventh order on the calendar.

**MOTION**

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

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Tuesday, February 11, 2003, which motion prevailed.

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

**BRADLEY C. FAY, Chief Clerk**