

JOURNAL OF THE HOUSE

Fifty-ninth Legislative Assembly

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Bismarck, February 11, 2005

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

The prayer was offered by Rev. Keith Ritchie, Cornerstone Community Church, Bismarck.

The roll was called and all members were present except Representatives Brusegaard and Svedjan.

A quorum was declared by the Acting Speaker.

REPORT OF THE EMPLOYMENT COMMITTEE

MR. SPEAKER your Employment Committee has met and recommends the following changes:

Regarding the positions within the ND House Employment roster, the committee recommends, that effective February 1, 2005, Diane Haan be moved to the position of a two day committee clerk for purposes of legislative pay.

Motion was made and seconded to accept this change and submit the change to the House for approval.

Rep. RaeAnn Kelsch
Chairman

SIXTH ORDER OF BUSINESS

ACTING SPEAKER TIMM DEEMED approval of HB 1121 HB 1157, HB 1380, HB 1383, HB 1389, HB 1473, HB 1484, HB 1505 and HB 1520.

HB 1121, HB 1157, HB 1380, HB 1383, HB 1389, HB 1473, HB 1484, HB 1505 and HB 1520, as amended, were placed on the Eleventh order of business on the calendar.

MOTION

REP. MONSON MOVED that HB 1450, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, HB 1450 was rereferred.

MOTION

REP. BOE MOVED that the House reconsider its action whereby HB 1390 failed to pass, which motion lost on a verification vote.

SECOND READING OF HOUSE BILL

HB 1242: A BILL for an Act to amend and reenact section 11-18-02.2 of the North Dakota Century Code, relating to filing of statements of full consideration.

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

YEAS: Carlisle; Potter; Weiler; Wieland

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weisz; Williams; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Svedjan

HB 1242 lost.

SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to create and enact a new section to chapter 14-05 of the North Dakota Century Code, relating to a waiting period for divorce and a mandatory seminar on the effects of divorce on children.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 59 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Bernstein; Brandenburg; Brusegaard; Carlson; Clark; Damschen; Delzer; Devlin; Dosch; Galvin; Grande; Iverson; Kasper; Kempenich; Kerzman; Klein; Koppelman; Meier, L.; Pietsch; Price; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Thoreson; Vigesaa; Wald; Weisz; Wieland; Wrangham; Acting Speaker Timm

NAYS: Aarsvold; Amerman; Berg; Boe; Boehning; Boucher; Carlisle; Charging; Conrad; DeKrey; Delmore; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pollert; Porter; Potter; Schmidt; Solberg; Thorpe; Uglem; Wall; Weiler; Williams; Zaiser

ABSENT AND NOT VOTING: Svedjan

HB 1420 lost.

SECOND READING OF HOUSE BILL

HB 1454: A BILL for an Act to create and enact section 40-57.3-01.2 of the North Dakota Century Code, relating to the imposition of a city motor vehicle rental tax; and to amend and reenact section 40-57.3-02 of the North Dakota Century Code, relating to the city visitors' promotion fund.

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 50 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Berg; Bernstein; Boe; Boucher; Conrad; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froseth; Glassheim; Haas; Hawken; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein; Klemin; Kroeber; Maragos; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Porter; Potter; Price; Sandvig; Schmidt; Uglem; Wald; Wall; Williams; Zaiser

NAYS: Aarsvold; Amerman; Bellew; Belter; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; Delzer; Devlin; Drovdal; Froelich; Galvin; Grande; Gulleon; Hanson; Headland; Iverson; Kasper; Kempenich; Kerzman; Koppelman; Kreidt; Kretschmar; Martinson; Pollert; Rennerfeldt; Ruby; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Vigesaa; Weiler; Weisz; Wieland; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Svedjan

HB 1454 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1513: A BILL for an Act to amend and reenact sections 57-15-31, 57-38-29, and 57-38-30, subsection 1 of section 57-38-30.3, and section 57-38-55 of the North Dakota Century Code, relating to individual and corporate income tax increases to provide school district

property tax relief; to provide a continuing appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 25 YEAS, 68 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Conrad; DeKrey; Delmore; Ekstrom; Glassheim; Guleson; Hanson; Hunsakor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Onstad; Potter; Sandvig; Schmidt; Solberg; Williams; Zaiser

NAYS: Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; Delzer; Devlin; Dietrich; Dosch; Drovda; Froelich; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Meyer, S.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Svedjan

Engrossed HB 1513 lost.

SECOND READING OF HOUSE BILL

HB 1521: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to individual income tax rates; to amend and reenact sections 15.1-09-47, 57-15-01.1, 57-15-14, and 57-38-29 of the North Dakota Century Code, relating to school district tax levy limitations and individual income tax rates; to provide an 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 33 YEAS, 58 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Conrad; Delmore; Devlin; Ekstrom; Galvin; Glassheim; Guleson; Haas; Herbel; Hunsakor; Kaldor; Kerzman; Kingsbury; Kreidt; Metcalf; Monson; Mueller; Nelson; Nottestad; Onstad; Potter; Schmidt; Skarphol; Solberg; Uglem; Vigasaa; Wall; Weisz; Williams

NAYS: Bellew; Belter; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Dietrich; Dosch; Drovda; Froelich; Froseth; Grande; Hanson; Hawken; Headland; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klemin; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Meyer, S.; Nicholas; Norland; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Sitte; Thoreson; Thorpe; Wald; Weiler; Wieland; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Berg; Klein; Svedjan

HB 1521 lost.

SECOND READING OF HOUSE BILL

HB 1061: A BILL for an Act to amend and reenact subsection 7 of section 12.1-32-15 of the North Dakota Century Code, relating to registration of sexual offenders.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim;

Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Klein; Svedjan

Engrossed HB 1061 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1235: A BILL for an Act to amend and reenact section 31-13-03 of the North Dakota Century Code, relating to which offenders are subject to DNA testing.

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 57 YEAS, 33 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bernstein; Boe; Boehning; Boucher; Charging; Clark; Conrad; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froelich; Galvin; Glassheim; Gulleston; Haas; Hanson; Hawken; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Kretschmar; Kroeber; Maragos; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Porter; Potter; Price; Sandvig; Schmidt; Solberg; Thorpe; Uglem; Wieland; Williams; Zaiser

NAYS: Bellew; Belter; Berg; Brandenburg; Brusegaard; Carlisle; Carlson; Damschen; Delzer; Devlin; Drovdal; Froseth; Grande; Headland; Herbel; Iverson; Kempenich; Kreidt; Martinson; Norland; Pietsch; Pollert; Rennerfeldt; Ruby; Sitte; Skarphol; Thoreson; Vigasaa; Wall; Weiler; Weisz; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Klein; Koppelman; Svedjan; Wald

Engrossed HB 1235 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1257: A BILL for an Act to amend and reenact sections 57-40.6-01 and 57-40.6-04 of the North Dakota Century Code, relating to prepaid wireless telephone tax for emergency services.

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 46 YEAS, 45 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehning; Brandenburg; Carlisle; Carlson; Conrad; Dosch; Drovdal; Ekstrom; Froelich; Glassheim; Grande; Gulleston; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, N.; Kasper; Kelsh, S.; Kretschmar; Kroeber; Maragos; Meier, L.; Metcalf; Monson; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Sandvig; Sitte; Thoreson; Uglem; Wald; Weiler; Wieland; Williams

NAYS: Amerman; Bellew; Boe; Brusegaard; Charging; Clark; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Froseth; Galvin; Hawken; Johnson, D.; Kaldor; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Martinson; Meyer, S.; Mueller; Nelson; Nicholas; Norland; Potter; Price; Rennerfeldt; Ruby; Schmidt; Skarphol; Solberg; Thorpe; Vigasaa; Wall; Weisz; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Klein; Svedjan

Engrossed HB 1257 lost.

SECOND READING OF HOUSE BILL

HB 1273: A BILL for an Act to create and enact chapter 45-10.2 of the North Dakota Century Code, relating to limited partnerships; to amend and reenact subsections 1 and 4 of section 10-19.1-13, subsections 1 and 5 of section 10-32-10, subsections 1 and 5 of section 10-33-10, section 43-07-19, subsection 2 of section 45-11-01, subsections 1 and 5 of section 45-13-04.1, subsection 3 of section 45-21-01, subsection 5 of section 45-21-02, subsections 1 and 5 of section 45-22-04, subsections 11 and 15 of section 45-23-01, section 45-23-02, subsections 1 and 5 of sections 45-23-03, sections 45-23-04 and 45-23-07, subsection 18 of section 45-23-08, and subsection 3 of section 54-44.4-09 of the North Dakota Century Code, relating to limited partnerships and references to chapter 45-10.2; to repeal chapter 45-10.1 and section 45-12-01 of the North Dakota Century Code, relating to limited partnerships and provisions for existing limited partnerships; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Klein; Owens; Svedjan

Engrossed HB 1273 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1360: A BILL for an Act to amend and reenact sections 15-62.1-02 and 15-62.1-05 of the North Dakota Century Code, relating to loans for part-time students and loan guarantee funds.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Klein; Svedjan

Engrossed HB 1360 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1375: A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to creation of the beginning again North Dakota pilot program by which the department of commerce develops a data base of skills and other

assets of two North Dakota communities; to provide a continuing appropriation; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 41 YEAS, 50 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Conrad; Delmore; Dosch; Ekstrom; Froelich; Froseth; Glassheim; Guleson; Hanson; Hawken; Hunsakor; Johnson, N.; Kaldor; Keiser; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Maragos; Meier, L.; Metcalf; Meyer, S.; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pollert; Potter; Ruby; Sandvig; Schmidt; Solberg; Thorpe; Vigasaa; Zaiser

NAYS: Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Drovda; Galvin; Grande; Haas; Headland; Herbel; Horter; Iverson; Johnson, D.; Kasper; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Martinson; Monson; Norland; Pietsch; Porter; Price; Rennerfeldt; Sitte; Skarphol; Thoreson; Uglem; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Klein; Svedjan; Williams

Engrossed HB 1375 lost.

SECOND READING OF HOUSE BILL

HB 1143: A BILL for an Act to amend and reenact section 57-38-01.20 of the North Dakota Century Code, relating to the family member care tax credit.

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, 90 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

NAYS: Aarsvold; Amerman; Bellew; Belter; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Berg; Klein; Svedjan; Zaiser

HB 1143 lost.

SECOND READING OF HOUSE BILL

HB 1314: A BILL for an Act to create and enact three new sections to chapter 49-02 of the North Dakota Century Code, relating to a renewable electricity and recycled energy credit trading and tracking system by the public service commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland;

Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Solberg; Thoreson; Thorpe; Uglem; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

NAYS: Belter; Carlson; Skarphol; Wald

ABSENT AND NOT VOTING: Brusegaard; Klein; Svedjan; Zaiser

Engrossed HB 1314 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1215: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for long-term care insurance premiums under the simplified method of computing tax; 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 25 YEAS, 65 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Bernstein; Delmore; Dosch; Gulleson; Hanson; Hawken; Hunsakor; Johnson, N.; Kaldor; Kasper; Kerzman; Kreidt; Kroeber; Maragos; Meier, L.; Metcalf; Nottestad; Pietsch; Porter; Potter; Price; Thorpe; Williams

NAYS: Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delzer; Devlin; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Headland; Herbel; Horter; Iverson; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kretschmar; Martinson; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Onstad; Owens; Pollert; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham

ABSENT AND NOT VOTING: Klein; Svedjan; Zaiser; Acting Speaker Timm

HB 1215 lost.

SECOND READING OF HOUSE BILL

HB 1319: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for employers for expenditures for employee wellness programs; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 73 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Ekstrom; Glassheim; Grande; Gulleson; Hanson; Hunsakor; Kaldor; Keiser; Kelsh, S.; Kerzman; Metcalf; Mueller; Onstad; Potter; Sandvig; Thoreson; Thorpe

NAYS: Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Meyer, S.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Solberg; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Klein; Svedjan; Zaiser

HB 1319 lost.

SECOND READING OF HOUSE BILL

HB 1302: A BILL for an Act to amend and reenact subsection 2 of section 52-04-07, subsection 3 of section 52-06-01, subsection 1 of section 52-06-02, and section 52-06-36 of the North Dakota Century Code, relating to domestic violence victim eligibility for unemployment compensation 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, 65 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Hanson; Hunskor; Johnson, N.; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe

NAYS: Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Gulleeson; Klein; Svedjan; Zaiser

HB 1302 lost.

SECOND READING OF HOUSE BILL

HB 1320: A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota Century Code, relating to recess for elementary students.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 86 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Boucher; Brusegaard

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Gulleeson; Haas; Klein; Martinson; Svedjan; Zaiser

HB 1320 lost.

MOTION

REP. MONSON MOVED that HB 1405 be laid over two legislative days, and HB 1441 and HB 1475 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1456: A BILL for an Act to create and enact a new section to chapter 34-01 of the North Dakota Century Code, relating to employers' responsibilities for nursing mothers.

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, 69 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Charging; Conrad; Delmore; Ekstrom; Hanson; Hunsakor; Kaldor; Kelsh, S.; Metcalf; Mueller; Onstad; Potter; Sandvig; Solberg; Thorpe

NAYS: Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Meyer, S.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Boucher; Gulleeson; Haas; Hawken; Kasper; Keiser; Klein; Svedjan; Zaiser

HB 1456 lost.

SECOND READING OF HOUSE BILL

HB 1462: A BILL for an Act to amend and reenact sections 12.1-31.2-01 and 14-07.1-02 of the North Dakota Century Code, relating to disorderly conduct and domestic violence protection orders.

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

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Gulleeson; Hawken; Kasper; Klein; Svedjan; Zaiser

HB 1462 lost.

SECOND READING OF HOUSE BILL

HB 1471: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for employers for contributions or support for child care programs for dependents of employees; 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 34 YEAS, 54 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Charging; Conrad; Delmore; Dosch; Ekstrom; Froelich; Glassheim; Hanson; Hawken; Horter; Hunsakor; Iverson; Kaldor; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Metcalf; Meyer, S.; Mueller; Nottestad; Onstad; Owens; Potter; Sandvig; Schmidt; Solberg; Thoreson; Thorpe; Williams

NAYS: Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Drovdal; Froseth; Galvin; Grande; Haas; Headland; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kingsbury;

Klemin; Koppelman; Kreidt; Maragos; Martinson; Meier, L.; Monson; Nelson; Nicholas; Norland; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Gulleeson; Herbel; Kasper; Klein; Svedjan; Zaiser

HB 1471 lost.

SECOND READING OF HOUSE BILL

HB 1472: A BILL for an Act to adopt the Uniform Conservation Easements Act relating to conservation easements; and to amend and reenact subsection 2 of section 47-05-02.1 of the North Dakota Century Code, relating to duration of conservation easements.

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

YEAS: Amerman; Conrad; Ekstrom; Glassheim; Hanson; Hunskor; Keiser; Kelsh, S.; Kerzman; Kroeber; Maragos; Nottestad; Porter; Potter; Sandvig

NAYS: Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Onstad; Owens; Pietsch; Pollert; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Gulleeson; Kasper; Klein; Svedjan; Zaiser

HB 1472 lost.

SECOND READING OF HOUSE BILL

HB 1481: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to a credit for installation of geothermal, solar, or wind energy devices under the simplified method of computing income tax; 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 32 YEAS, 57 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Charging; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Hanson; Hunskor; Johnson, D.; Kaldor; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Maragos; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Williams

NAYS: Bellew; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Martinson; Meier, L.; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Gulleeson; Kasper; Klein; Svedjan; Zaiser

HB 1481 lost.

SECOND READING OF HOUSE BILL

HB 1487: A BILL for an Act to create and enact a new section to chapter 14-02.1 of the North Dakota Century Code, relating to liability insurance requirements for abortion facilities.

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 14 YEAS, 73 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Carlson; Froelich; Grande; Hunskor; Iverson; Kerzman; Meier, L.; Rennerfeldt; Ruby; Sitte; Skarphol; Wald

NAYS: Aarsvold; Amerman; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Galvin; Glassheim; Haas; Hanson; Hawken; Headland; Herbel; Horter; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Sandvig; Schmidt; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Acting Speaker Timm

ABSENT AND NOT VOTING: Brandenburg; Gulleson; Kasper; Klein; Svedjan; Wrangham; Zaiser

HB 1487 lost.

SECOND READING OF HOUSE BILL

HB 1499: A BILL for an Act to amend and reenact sections 14-07-07 and 14-07-08 of the North Dakota Century Code, relating to the liabilities of husband and wife.

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

NAYS: Aarsvold; Amerman; Bellew; Belter; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Berg; Gulleson; Kasper; Klein; Svedjan; Zaiser

HB 1499 lost.

SECOND READING OF HOUSE BILL

HB 1519: A BILL for an Act to amend and reenact sections 4-14.1-02 and 4-14.1-03.1 of the North Dakota Century Code, relating to agricultural products utilization commission grants.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury;

Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Berg; Gulleson; Horter; Kasper; Klein; Svedjan; Zaiser

HB 1519 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1032: A BILL for an Act to amend and reenact subsection 1 of section 15.1-27-11 of the North Dakota Century Code, relating to the formula for calculating supplemental payments to high school districts; 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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Berg; Gulleson; Klein; Nicholas; Svedjan; Zaiser

HB 1032 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1234: A BILL for an Act to amend and reenact subsection 7 of section 15.1-27-07 of the North Dakota Century Code, relating to payments for kindergarten students.

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 41 YEAS, 49 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Boe; Boucher; Conrad; Damschen; Delmore; Ekstrom; Froelich; Glassheim; Haas; Hanson; Hawken; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kelsch, R.; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Uglem; Wall; Williams

NAYS: Amerman; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Grande; Headland; Herbel; Horter; Iverson; Kasper; Keiser; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Monson; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Thoreson; Vigasaa; Wald; Weiler; Weisz; Wieland; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Gulleson; Klein; Svedjan; Zaiser

HB 1234 lost.

SECOND READING OF HOUSE BILL

HB 1031: A BILL for an Act to amend and reenact subsection 11 of section 40-58-20 of the North Dakota Century Code, relating to the availability of property and income tax

exemptions for new and expanding businesses in urban renewal areas; and to provide an effective date.

ROLL CALL

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

YEAS: Keiser

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Ekstrom; Gulleson; Kelsh, S.; Klein; Koppelman; Porter; Rennerfeldt; Svedjan; Wald

Engrossed HB 1031 lost.

SECOND READING OF HOUSE BILL

HB 1110: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to duties of the department of human services with respect to least restrictive care options; to amend and reenact sections 25-03.2-03.1 and 50-11-02.3 of the North Dakota Century Code, relating to extending the moratorium on expansion of residential treatment center for children bed capacity and residential child care facility or group home bed capacity; to provide an effective date; and to declare an emergency.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Gulleson; Kasper; Kelsh, S.; Klein; Nicholas; Svedjan

Reengrossed HB 1110 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1304: A BILL for an Act to amend and reenact section 54-27-21.1, subsection 8 of section 54-44.1-06, and section 54-44.1-08 of the North Dakota Century Code, relating to cost/benefit reports to the budget section for leasing arrangements, financing and leasing information in budget data contents, and budget reports to the legislative assembly.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

NAYS: Delmore; Hawken

ABSENT AND NOT VOTING: Bellew; Drovda; Gulleson; Kelsh, S.; Klein; Nicholas; Svedjan

Engrossed HB 1304 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1386: A BILL for an Act to provide for mandatory alternative dispute resolution for professional malpractice claims; to amend and reenact section 32-42-01 of the North Dakota Century Code, relating to alternative dispute resolution definitions; to repeal sections 32-42-03 and 32-42-04 of the North Dakota Century Code, relating to alternative dispute resolution; 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 69 YEAS, 19 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Galvin; Glassheim; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Meier, L.; Metcalf; Monson; Nelson; Norland; Nottestad; Owens; Pietsch; Pollert; Price; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Acting Speaker Timm

NAYS: Boe; Boucher; Delmore; Delzer; Devlin; Froelich; Grande; Kelsch, R.; Kerzman; Martinson; Meyer, S.; Mueller; Onstad; Porter; Potter; Schmidt; Solberg; Thorpe; Wrangham

ABSENT AND NOT VOTING: Bellew; Gulleson; Kelsh, S.; Klein; Nicholas; Svedjan

Engrossed HB 1386 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1391: A BILL for an Act to create and enact sections 10-19.1-01.2, 10-19.1-102.1, 10-19.1-104.1, 10-19.1-104.2, 10-19.1-104.3, 10-19.1-104.4, 10-19.1-104.5, 10-19.1-104.6, 10-19.1-148.1, 10-19.1-148.2, 10-32-02.2, 10-32-106.1, 10-32-108.1, 10-32-108.2, 10-32-108.3, 10-32-108.4, 10-32-108.5, 10-32-108.6, 10-32-152.1, 10-32-152.2, 10-33-01.2, 10-33-141.1, 10-33-141.2, 45-13-01.1, 45-21-02.1, 45-21-04.1, 45-21-04.2, 45-21-07.1, 45-22-23.1, and 45-22-23.2 of the North Dakota Century Code, relating to corporations, limited liability companies, limited liability partnerships, and partnerships; to amend and reenact sections 10-19.1-01 and 10-19.1-08, subsections 3 and 4 of section 10-19.1-10, sections 10-19.1-13, 10-19.1-20, 10-19.1-21, 10-19.1-27, and 10-19.1-39, subsections 3 and 5 of section 10-19.1-43, sections 10-19.1-52 and 10-19.1-55, subsection 2 of section 10-19.1-61.1, section 10-19.1-63, subsection 2 of section 10-19.1-70, section 10-19.1-74, subsection 1 of section 10-19.1-75, section 10-19.1-75.1, subsection 7 of section 10-19.1-76.2, subsections 2 and 3 of section 10-19.1-76.3, subsections 4 and 10 of

section 10-19.1-84, section 10-19.1-87, subsections 3 and 4 of section 10-19.1-88, subsection 1 of section 10-19.1-91, subsection 1 of section 10-19.1-103, subsection 2 of section 10-19.1-104, subsection 1 of section 10-19.1-110, section 10-19.1-129, subsection 1 of section 10-19.1-141, section 10-19.1-145, subsections 1, 2, 4, and 6 of section 10-19.1-146, sections 10-19.1-147, 10-19.1-148, 10-19.1-149, 10-19.1-149.1, 10-19.1-150, 10-31-07.3 and 10-32-02, subsections 2 and 4 of section 10-32-07, section 10-32-10, subsection 2 of section 10-32-12, subsection 4 of section 10-32-13, sections 10-32-17, 10-32-20, 10-32-24, and 10-32-42, subsection 1 of section 10-32-43, section 10-32-43.1, subsection 2 of section 10-32-51, sections 10-32-53 and 10-32-54, subsections 3 and 4 of section 10-32-55, sections 10-32-56 and 10-32-76, subsections 3 and 5 of section 10-32-80, section 10-32-91, subsection 1 of section 10-32-99, subsections 1 and 2 of section 10-32-100, subsections 1 and 5 of section 10-32-102, subsection 2 of section 10-32-106, subsections 1 and 4 of section 10-32-107, subsection 2 of section 10-32-108, subsection 1 of section 10-32-114, section 10-32-132, subsection 1 of section 10-32-144, section 10-32-148, subsections 1, 2, 3, 4, and 7 of section 10-32-149, sections 10-32-150, 10-32-152, 10-32-153, 10-32-153.1, 10-32-154, and 10-33-01, subsection 3 of section 10-33-06, section 10-33-10, subsection 2 of section 10-33-12, subsection 4 of section 10-33-13, sections 10-33-18, 10-33-22, and 10-33-34, subsections 3 and 5 of section 10-33-39, sections 10-33-47, 10-33-51, 10-33-72, 10-33-73, and 10-33-74, subsections 2, 5, and 7 of section 10-33-80, section 10-33-120, subsections 1 and 2 of section 10-33-123, subsection 1 of section 10-33-134, sections 10-33-138, 10-33-139, 10-33-140, 10-33-141, 10-33-142, 10-33-142.1, and 10-33-143, subsection 2 of section 10-33-145, sections 45-13-01, 45-13-02, and 45-13-04.1, subsections 3 and 4 of section 45-13-04.2, subsection 8 of section 45-13-05, sections 45-21-01, 45-21-02, 45-21-03, 45-21-04, 45-21-05, 45-21-06, 45-21-07, 45-22-01, 45-22-04, 45-22-05, 45-22-17, 45-22-21.1, 45-22-22, 45-22-23, 45-23-01, 45-23-02, 45-23-03, and 45-23-04, subsections 1 and 2 of section 45-23-05, and sections 45-23-06, 45-23-07, 45-23-08, and 45-23-09 of the North Dakota Century Code, relating to corporations, limited liability companies, limited liability partnerships, and partnerships; and to repeal section 45-22-01.1 of the North Dakota Century Code, relating to limited liability partnerships.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 4 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

NAYS: Belter; Carlson; Delzer; Froelich

ABSENT AND NOT VOTING: Bellew; Gulleeson; Kelsh, S.; Klein; Mueller; Nicholas; Svedjan

Engrossed HB 1391 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1397: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to opportunities for the enrollment of students in a veterinary medical education program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 5 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor;

Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

NAYS: Carlson; Delzer; Drovdal; Porter; Skarphol

ABSENT AND NOT VOTING: Bellew; Gulleson; Kelsh, S.; Klein; Nicholas; Svedjan

Engrossed HB 1397 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1409: A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-08 of the North Dakota Century Code, relating to restitution.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Bellew; Gulleson; Klein; Nicholas; Svedjan

Engrossed HB 1409 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1480: A BILL for an Act to amend and reenact section 57-38-30.5 of the North Dakota Century Code, relating to a corporate income tax credit for research and experimental expenditures; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 76 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Amerman; Conrad; Drovdal; Ekstrom; Froelich; Glassheim; Kelsh, S.; Kempenich; Kerzman; Onstad; Zaiser

NAYS: Aarsvold; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Froseth; Galvin; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Acting Speaker Timm

ABSENT AND NOT VOTING: Bellew; Gulleson; Hunskor; Klein; Nicholas; Price; Svedjan

Engrossed HB 1480 lost.

MOTION

REP. BERG MOVED that HB 1488 be laid over two legislative days, which motion prevailed.

MOTION

REP. BERG MOVED that HCR 3007 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION ON CONSENT CALENDAR

HCR 3007: A concurrent resolution declaring Monday, February 14, 2005, "North Dakota Close-Up Day".

ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were: 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Acting Speaker Timm

ABSENT AND NOT VOTING: Amerman; Bellew; Gulleson; Klein; Nicholas; Svedjan

HCR 3007 was declared adopted on a recorded roll call vote, and the title was agreed to.

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 1052, HB 1058, HB 1217, HB 1223, HB 1225, HB 1268, HB 1341, HB 1347, HB 1368, HB 1395, HB 1396, HB 1402, HB 1474, HB 1486, HB 1498.

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 2304.

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 2033, SB 2074, SB 2082, SB 2117, SB 2164, SB 2200, SB 2252, SB 2268, SB 2278, SB 2305, SB 2345, SB 2351, SB 2370, SB 2375, SCR 4001, SCR 4024, SCR 4027.

MOTION

REP. MONSON MOVED that the absent members 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., Monday, February 14, 2005, which motion prevailed.

FIRST READING OF SENATE BILLS

SB 2048: A BILL for an Act to repeal section 14-09-10 of the North Dakota Century Code, relating to the reciprocal duty of support between parents and adult children.
Was read the first time and referred to the **Human Services Committee**.

SB 2049: A BILL for an Act to create and enact a new section to chapter 39-21 and a new section to chapter 51-07 of the North Dakota Century Code, relating to a traffic control signal preemption device; to amend and reenact section 39-06.1-05 of the North Dakota Century Code, relating to offenses excepted from the administrative traffic procedures; and to provide a penalty.
Was read the first time and referred to the **Transportation Committee**.

SB 2057: A BILL for an Act to amend and reenact section 30.1-23-01 of the North Dakota Century Code, relating to collection of the estate of a decedent by affidavit.
Was read the first time and referred to the **Judiciary Committee**.

SB 2061: A BILL for an Act to amend and reenact section 35-20-17 of the North Dakota Century Code, relating to a landlord's mobile home lien; and to provide a penalty.

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

SB 2062: A BILL for an Act to amend and reenact sections 15.1-09-33, 15.1-09-48, and 15.1-09-50 of the North Dakota Century Code, relating to powers of the board of education of the city of Fargo.

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

SB 2064: A BILL for an Act to amend and reenact sections 15-62.2-00.1 and 15-62.2-03.3 of the North Dakota Century Code, relating to applicants for state scholarships.

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

SB 2065: A BILL for an Act to amend and reenact subsection 6 of section 57-15-28.1 of the North Dakota Century Code, relating to county mill levy limitations for comprehensive health insurance; and to provide an effective date.

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

SB 2066: A BILL for an Act to amend and reenact section 15.1-06-05 of the North Dakota Century Code, relating to reconfiguration of instructional days by school districts; and to declare an emergency.

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

SB 2067: A BILL for an Act to amend and reenact sections 5-01-08 and 5-02-06 of the North Dakota Century Code, relating to the use of alcohol by a person under twenty-one years of age; and to declare an emergency.

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

SB 2099: A BILL for an Act to amend and reenact sections 39-06-30 and 39-06-34, subsection 1 of section 39-06-42, sections 39-16-03.1 and 39-20-01, subsection 2 of section 39-20-04, and subsection 1 of section 39-20-04.1 of the North Dakota Century Code, relating to the meaning of the term conviction, time required for a decision after a hearing, driving while license is suspended, when entries on a driving record are confidential, the implied consent advisory for refusal to submit to alcohol test, procedure to negate effect of a refusal, and suspension of person under twenty-one years of age for driving with a prohibited alcohol concentration; and to repeal sections 39-16-30 and 39-16.1-21 of the North Dakota Century Code, relating to driving while a license is suspended.

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

SB 2107: A BILL for an Act to repeal section 52-02-05 of the North Dakota Century Code, relating to publication of unemployment insurance laws and rules by job service North Dakota.

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

SB 2112: A BILL for an Act to amend and reenact sections 23-06.2-01, 23-06.2-02, and 39-06-03.1 of the North Dakota Century Code, relating to identification as an organ donor on nondriver photo identification cards.

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

SB 2113: A BILL for an Act to provide for a legislative council study of hunting and fishing privileges for nonresidents and nonresidents who are former residents.

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

SB 2124: A BILL for an Act to amend and reenact subsection 1 of section 6-05-08 of the North Dakota Century Code, relating to the powers of annuity, safe deposit, surety, and trust companies.

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

SB 2126: A BILL for an Act to amend and reenact section 61-36-01 of the North Dakota Century Code, relating to membership of the Devils Lake outlet management advisory committee.

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

SB 2128: A BILL for an Act to amend and reenact section 37-15-10 of the North Dakota Century Code, relating to admission requirements for veterans at the veterans' home.

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

SB 2129: A BILL for an Act to amend and reenact section 37-14-07 of the North Dakota Century Code, relating to collecting fees on loans from the veterans' aid fund.

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

SB 2130: A BILL for an Act to amend and reenact sections 6-09-02.1, 54-17-03, 54-17.5-02, and 54-17.6-05 of the North Dakota Century Code, relating to the industrial commission's authority to set the compensation for various advisory boards.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2142: A BILL for an Act to amend and reenact sections 11-15-07, 11-15-08, 11-15-09, and 23-15-04 of the North Dakota Century Code, relating to fees and commissions collected by sheriffs.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2146: A BILL for an Act to provide adjusted compensation for eligible resident veterans and for the filing and payment of claims, duties of the adjutant general, and exemption from taxation and execution for such payments; to provide a penalty; and to declare an emergency.

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

SB 2151: A BILL for an Act to create and enact two new sections to chapter 37-17.1 of the North Dakota Century Code, relating to intrastate mutual aid by emergency response units; and to declare an emergency.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2154: A BILL for an Act to amend and reenact sections 24-02-01.5, 39-24-01, 39-24-04, and 39-24-05 of the North Dakota Century Code, relating to collector snowmobiles.

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

SB 2155: A BILL for an Act to create and enact a new section to chapter 61-01 of the North Dakota Century Code, relating to findings and declaration of policy of the legislative assembly concerning the use of ground water for irrigation.

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

SB 2156: A BILL for an Act to repeal section 4-24-07 of the North Dakota Century Code, relating to the collocation of agricultural promotion groups.

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

SB 2158: A BILL for an Act to create and enact a new subsection to section 57-35.3-05 of the North Dakota Century Code, relating to a financial institutions tax credit for contributions made for tuition scholarships to rural leadership North Dakota; and to provide an effective date.

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

SB 2160: A BILL for an Act to provide for a legislative council study of administration and enforcement of the state building code.

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

SB 2161: A BILL for an Act to repeal section 47-10.1-03 of the North Dakota Century Code, relating to the prohibition of recording instruments transferring title to Agricultural land to an alien or certain business entities.

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

SB 2162: A BILL for an Act to amend and reenact section 32-09.1-04 of the North Dakota Century Code, relating to notice of renewal of garnishment of earnings.

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

SB 2163: A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota Century Code, relating to students' possession and self-administration of medication for the treatment of asthma and anaphylaxis.

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

SB 2165: A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to the unauthorized use of the name or logo of a bank, trust company, savings association, savings bank, or affiliated entity; and to provide a penalty.

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

SB 2166: A BILL for an Act to amend and reenact subsection 2 of section 19-03.3-01 and sections 19-03.3-02, 19-03.3-03, 19-03.3-04, and 19-03.3-05 of the North Dakota Century Code, relating to treatment and care for pain.

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

SB 2167: A BILL for an Act to amend and reenact subsection 5 of section 30.1-31-21 of the North Dakota Century Code, relating to the definition of security account for purposes of the uniform probate code.

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

SB 2170: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for carbon dioxide used for enhanced recovery of oil or natural gas; to amend and reenact subdivision b of subsection 5 of section 57-51.1-03 of the North Dakota Century Code, relating to an oil extraction tax exemption for incremental production from a tertiary recovery project; and to provide an effective date.

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

SB 2171: A BILL for an Act to provide for a legislative council study of the licensing of acupuncturists.

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

SB 2172: A BILL for an Act to create and enact a new subdivision to subsection 18 of section 52-01-01 of the North Dakota Century Code, relating to exempting service in Americorps as covered employment for unemployment insurance purposes; and to declare an emergency.

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

SB 2173: A BILL for an Act to amend and reenact section 11-33-05 of the North Dakota Century Code, relating to compensation of county planning commission members.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2174: A BILL for an Act to amend and reenact subsection 2 of section 47-10.2-01 of the North Dakota Century Code, relating to escrow account excess amounts.

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

SB 2175: A BILL for an Act to amend and reenact section 6-03-05 of the North Dakota Century Code, relating to real estate appraisal requirements for real estate loans by banks.

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

SB 2176: A BILL for an Act to amend and reenact subsection 31 of section 57-39.2-04 of the North Dakota Century Code, relating to sales and use tax exemption for sales of precious metal bullion; and to provide an effective date.

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

SB 2180: A BILL for an Act to amend and reenact section 11-18-03 of the North Dakota Century Code, relating to instruments recorded without auditor's certificate.

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

SB 2181: A BILL for an Act to amend and reenact section 28-20-22 of the North Dakota Century Code, relating to a judgment affidavit of renewal.

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

SB 2182: A BILL for an Act to provide for the validity of certain conveyances by an estate or trust.

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

SB 2183: A BILL for an Act to amend and reenact section 40-50.1-03 of the North Dakota Century Code, relating to certification of townsite or subdivision plats.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2187: A BILL for an Act to create and enact sections 26.1-27-02.1 and 26.1-27-03.1 of the North Dakota Century Code, relating to the definition of home state and bond requirements for third-party administrators; to amend and reenact section 26.1-27-03 of the North Dakota Century Code, relating to fees for acting as a third-party administrator and the penalties for acting without a third-party administrator license; to repeal section 26.1-27-04 of the North Dakota Century Code, relating to the waiver of third-party registration requirements; and to provide a penalty.

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

SB 2189: A BILL for an Act to amend and reenact section 23-01-05.3 of the North Dakota Century Code, relating to the exchange of immunization data.

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

SB 2191: A BILL for an Act to create and enact sections 51-07-02.1, 51-07-02.2, and 51-07-02.3 of the North Dakota Century Code, relating to contractual relationships between automobile and truck wholesalers and retailers; to amend and reenact section 51-07-01.1 of the North Dakota Century Code, relating to the termination of a contractual relationship between automobile and truck wholesalers and retailers; and to provide for application.

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

SB 2194: A BILL for an Act to amend and reenact section 26.1-02-21 and 26.1-06.1-31 of the North Dakota Century Code, relating to treatment of reinsurance upon insolvency, liquidation, or dissolution and reinsurer's liability in delinquency proceedings.

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

SB 2196: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an optional contribution by individual income taxpayers for programs and activities conducted by the silver-haired education association; to provide an appropriation; to provide a continuing appropriation; and to provide an effective date.

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

SB 2199: A BILL for an Act to amend and reenact section 28-01-46 of the North Dakota Century Code, relating to expert opinion required in certain civil cases.

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

SB 2201: A BILL for an Act to amend and reenact sections 54-44.5-01, 54-44.5-06, and 54-44.5-07 of the North Dakota Century Code, relating to federal block grants supporting community action agencies.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2202: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to exempting from the open records law records concerning individual recipients of economic assistance administered under the division of community services or a community action agency.

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

SB 2205: A BILL for an Act to amend and reenact subsection 6 of section 39-24-09 and section 39-24-09.1 of the North Dakota Century Code, relating to snowmobile operation by an individual who is at least twelve years of age.

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

SB 2207: A BILL for an Act to amend and reenact section 55-10-12 of the North Dakota Century Code, relating to the historical marker program.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2208: A BILL for an Act to amend and reenact sections 24-02-01.5 and 39-01-01, subdivision c of subsection 2 of section 39-06.1-06, sections 39-08-18, 39-08-19, 39-21-41.2, and 51-20-01, and subsection 9 of section 57-40.3-04 of the North Dakota Century Code, relating to motor vehicle child restraint systems.

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

SB 2210: A BILL for an Act to amend and reenact sections 15.1-16-03 and 15.1-16-04 of the North Dakota Century Code, relating to compensation for factfinders and members of the education factfinding commission.

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

SB 2211: A BILL for an Act to amend and reenact section 48-05-11 of the North Dakota Century Code, relating to guaranteed energy savings contracts in public buildings.

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

SB 2212: A BILL for an Act to amend and reenact section 57-15-17.1 of the North Dakota Century Code, relating to use of a school district tax levy for heating, ventilation, and air-conditioning systems; and to provide an effective date.

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

SB 2215: A BILL for an Act to provide for a legislative council study relating to the expansion of the uniform group insurance program.

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

SB 2216: A BILL for an Act to create and enact section 49-21-10.3 of the North Dakota Century Code, relating to complaints against telecommunications companies; to amend

and reenact sections 49-02-01.1, 49-21-01, 49-21-01.1, 49-21-01.3, 49-21-01.7, 49-21-02.2, and 49-21-10.2 of the North Dakota Century Code, relating to telecommunications regulation; and to repeal sections 49-21-04.1, 49-21-08, 49-21-14, 49-21-15, 49-21-17, 49-21-18, 49-21-20, and 49-21-24 of the North Dakota Century Code, relating to telecommunications regulation.

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

SB 2218: A BILL for an Act to create and enact two new sections to chapter 37-18 of the North Dakota Century Code, relating to funding and veterans' records; to amend and reenact sections 37-14-18 and 37-18-04 of the North Dakota Century Code, relating to supervision of county veterans' service officers and duties of the commissioner of veterans' affairs; and to provide a continuing appropriation.

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

SB 2219: A BILL for an Act to create and enact a new subsection to section 62.1-04-03 of the North Dakota Century Code, relating to concealed weapon permit information.

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

SB 2220: A BILL for an Act to amend and reenact subsection 1 of section 20.1-03-07 and section 20.1-03-07.1 of the North Dakota Century Code, relating to crane hunting by nonresidents.

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

SB 2225: A BILL for an Act to amend and reenact section 23-30-05 of the North Dakota Century Code, relating to regular meetings of electors of hospital districts.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2226: A BILL for an Act to amend and reenact section 15.1-09-33 of the North Dakota Century Code, relating to the power of school boards to lease property and dismiss certain personnel.

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

SB 2227: A BILL for an Act to amend and reenact sections 23-11-01, 23-11-03, 23-11-11, 23-11-14, 23-11-20, 23-11-21, 23-11-23, and 23-11-24 of the North Dakota Century Code, relating to housing authority jurisdiction; and to declare an emergency.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2231: A BILL for an Act to create and enact a new section to chapter 51-12 of the North Dakota Century Code, relating to product rebates; and to provide a penalty.

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

SB 2232: A BILL for an Act to create and enact section 32-19-06.2 of the North Dakota Century Code, relating to deficiency judgments on agricultural land; to amend and reenact sections 28-23-04, 28-24-02, 32-19-01, 32-19-03, 32-19-04, 32-19-06, 32-19-06.1, 32-19-07, 32-19-08, 32-19-09, 32-19-10, 32-19-11, 32-19-18, 32-19-20, 32-19-21, 32-19-22, 32-19-23, 32-19-24, 32-19-25, 32-19-26, 32-19-28, 32-19-29, 32-19-37, 32-19-38, 32-19-39, 32-19-40, and 32-19-41 and subdivision a of subsection 1 of section 35-03-09 of the North Dakota Century Code, relating to foreclosure of a mortgage; and to repeal sections 32-19-05, 32-19-12, 32-19-13, 32-19-14, 32-19-15, 32-19-16, 32-19-17, 32-19-30, 32-19-31, 32-19-32, 32-19-33, and 32-19-34 and chapter 32-19.1 of the North Dakota Century Code, relating to foreclosure of a mortgage.

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

SB 2234: A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the dispensing of alcoholic beverages on certain days.

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

SB 2236: A BILL for an Act to amend and reenact subsection 4 of section 4-10.6-01 and section 4-10.6-09 of the North Dakota Century Code, relating to collection of assessments on corn.

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

SB 2237: A BILL for an Act to amend and reenact sections 11-28.2-01 and 11-28.2-04 of the North Dakota Century Code, relating to requirements for establishment of a recreation service district and the powers of a recreation service district.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2239: A BILL for an Act to create and enact a new section to chapter 9-01, three new sections to chapter 47-05, and a new section to chapter 47-16 of the North Dakota Century Code, relating to wind option agreements, easements, and leases.

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

SB 2244: A BILL for an Act to amend and reenact subsection 9 of section 26.1-08-01, subsections 4 and 10 of section 26.1-08-12, and section 26.1-08-13 of the North Dakota Century Code, relating to eligibility for coverage under the comprehensive health association of North Dakota.

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

SB 2245: A BILL for an Act to amend and reenact subsection 3 of section 14-02.4-02, subsection 5 of section 14-02.5-01, subsection 4 of section 34-01-20, sections 34-05-01.1 and 34-05-01.2, subsection 8 of section 34-05-01.3, and sections 34-07-05, 34-14-11, 34-14-12, and 34-14-13 of the North Dakota Century Code, relating to a name change from the department of labor to the department of labor and human rights.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2246: A BILL for an Act to amend and reenact section 39-18-03.2 of the North Dakota Century Code, relating to park model trailers.

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

SB 2249: A BILL for an Act to amend and reenact sections 51-07-27, 51-18-01, 51-18-04.2, 51-18-04.3, 51-18-09, and 51-28-06 of the North Dakota Century Code, relating to restrictions on electronically printed credit card receipts, regulation of home solicitation sales, and prohibited telephone solicitations; and to provide a penalty.

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

SB 2250: A BILL for an Act to authorize agencies to limit the liability to the state of certain contracting parties and to permit ratification of certain existing agreements limiting liability to the state; and to declare an emergency.

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

SB 2251: A BILL for an Act to amend and reenact sections 12.1-23-11 and 12.1-23-12 of the North Dakota Century Code, relating to the unauthorized use of personal identifying information, penalties, and prosecution of offenses in multiple counties; jurisdiction in offenses involving conduct outside this state; and to provide a penalty.

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

SB 2254: A BILL for an Act to create and enact a new section to chapter 39-20 of the North Dakota Century Code, relating to drivers' records for driving while under the influence.

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

SB 2257: A BILL for an Act to provide for a legislative council study of the feasibility and desirability of creating a diversion program for people who have written bad checks.

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

SB 2260: A BILL for an Act to create and enact a new chapter to title 15.1 of the North Dakota Century Code, relating to early childhood education.

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

SB 2261: A BILL for an Act to create and enact a new section to chapter 23-12 of the North Dakota Century Code, relating to breastfeeding; and to amend and reenact subsection 4 of section 12.1-20-02 and sections 12.1-20-12.1, 12.1-27.1-11, and 42-01-01 of the North Dakota Century Code, relating to exempting the act of breastfeeding from certain offenses.

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

SB 2262: A BILL for an Act to amend and reenact subsection 4 of section 15.1-27-25 of the North Dakota Century Code, relating to expenditure of federal mineral royalties by counties.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2263: A BILL for an Act to amend and reenact section 6-06-07 of the North Dakota Century Code, relating to the field of membership of state-chartered credit unions.

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

SB 2264: A BILL for an Act to provide for a legislative council study of including payments for overtime and bonuses earned by employees for purposes of determining public employees retirement system contributions and benefits.

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

SB 2265: A BILL for an Act to amend and reenact sections 32-12.1-02, 32-12.1-03, and 32-12.2-02 of the North Dakota Century Code, relating to civil liability of political subdivisions and the state; and to declare an emergency.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2271: A BILL for an Act to amend and reenact sections 20.1-04-15 and 20.1-08-04.9 of the North Dakota Century Code, relating to the opening date of pheasant season for youth.

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

SB 2272: A BILL for an Act to amend and reenact subsection 1 of section 57-02-01 of the North Dakota Century Code, relating to the definition of agricultural property for property tax assessment and classification purposes; and to provide an effective date.

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

SB 2273: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, relating to limitations on bond requirements in litigation; to provide an effective date; to provide for application; and to declare an emergency.

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

SB 2275: A BILL for an Act to amend and reenact subsection 3 of section 23-35-05 and subsection 1 of section 23-35-07 of the North Dakota Century Code, relating to property tax levy limitations of merged health districts; and to provide an effective date.

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

SB 2276: A BILL for an Act to amend and reenact section 6-09.4-02, subsection 5 of section 6-09.4-03, sections 6-09.4-06, 6-09.4-07, 6-09.4-09, and 6-09.4-13, and subsection 1 of section 40-57-02 of the North Dakota Century Code, relating to the purchase of qualified small issue bonds by the municipal bond bank and issuance of municipal industrial development revenue bonds by the municipal bond bank; and to provide program limits for the purchase or issuance of qualified small issue bonds or municipal industrial revenue bonds by the municipal bond bank.

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

SB 2277: A BILL for an Act to create and enact a new section to chapter 4-09 of the North Dakota Century Code, relating to limitations on regulation of seed by political subdivisions.

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

SB 2280: A BILL for an Act to create and enact eighteen new sections to chapter 63-01.1 of the North Dakota Century Code, relating to the control of eradication of noxious weeds and pests; to amend and reenact subsection 1 of section 4-33-11, and sections 63-01.1-01, 63-01.1-02, 63-01.1-03, 63-01.1-03.1, 63-01.1-04, 61-01.1-04.1, 61-03.1-05, 63-01.1-05.1, 63-01.1-06, 63-01.1-08, 63-01.1-09, 63-01.1-10.1, 63-01.1-12, 63-01.1-12.1, 63-01.1-12.2, 63-01.1-13, 63-01.1-14, and 63-01.1-15 of the North Dakota Century Code, relating to the control and eradication of noxious weeds and pests; and to repeal section 63-01.1-04.2 of the North Dakota Century Code, relating to pest control by county weed boards.

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

SB 2288: A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to transfers of funds for payment of child support; to amend and reenact section 14-09-09.24 of the North Dakota Century Code, relating to income withholding for child support purposes; and to declare an emergency.

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

SB 2293: A BILL for an Act to create and enact a new section to chapter 61-35 of the North Dakota Century Code, relating to conversion of water resource district water supply systems to water districts.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2294: A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to license fees for nonresident wholesale bait vendor licenses; and to amend and reenact subsections 25 and 45 of section 20.1-03-12 and section 20.1-06-14 of the North Dakota Century Code, relating to the regulation and licensing of wholesale bait vendors.

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

SB 2298: A BILL for an Act to provide for bone marrow donor education and leave of absence for state employees donating an organ or bone marrow.

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

SB 2302: A BILL for an Act to amend and reenact section 28-20-34 of the North Dakota Century Code, relating to postjudgment interest.

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

SB 2308: A BILL for an Act to create and enact a new section to chapter 14-10 of the North Dakota Century Code, relating to consent for certain health care services provided to minors.

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

SB 2311: A BILL for an Act to amend and reenact subsection 2 of section 54-02-01 of the North Dakota Century Code, relating to unlawful use of the great seal.

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

SB 2314: A BILL for an Act to amend and reenact section 57-40.3-02 of the North Dakota Century Code, relating to the motor vehicle excise tax for antique and collector's motor vehicles; and to provide an effective date.

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

SB 2322: A BILL for an Act to amend and reenact section 47-10.1-02 of the North Dakota Century Code, relating to restrictions on the acquisition of agricultural land.

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

SB 2326: A BILL for an Act to amend and reenact sections 4-10-01, 4-10-06.1, and 4-10-06.3 of the North Dakota Century Code, relating to seed potato certification requirements; and to declare an emergency.

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

SB 2332: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to status as a retired farmer for purposes of the farm buildings and residence property tax exemption; and to provide an effective date.

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

SB 2334: A BILL for an Act to amend and reenact subsection 13 of section 20.1-02-05 of the North Dakota Century Code, relating to hunting by nonresident students.

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

SB 2335: A BILL for an Act to create and enact chapter 51-29 of the North Dakota Century Code, relating to gift certificate sales, expiration dates, and service or maintenance fees; and to provide a penalty.

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

SB 2338: A BILL for an Act to create and enact five new subsections to section 20.1-01-02 and a new chapter to title 20.1 of the North Dakota Century Code, relating to prevention and control of aquatic nuisance species; and to provide a penalty.

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

SB 2347: A BILL for an Act to amend and reenact section 26.1-01-07.4 of the North Dakota Century Code, relating to cooperative agreements for group health care coverage.

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

SB 2354: A BILL for an Act to amend and reenact subsection 2 of section 50-22-01, subsection 2 of section 50-22-02, and section 50-22-02.2 of the North Dakota Century Code, relating to charitable solicitations.

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

SB 2359: A BILL for an Act to amend and reenact subsection 2 of section 57-39.2-11, subsection 1 of section 57-39.2-12.1, and subsection 1 of section 57-40.2-07.1 of the North Dakota Century Code, relating to compensation of a certified service provider under streamlined sales tax collection agreements.

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

SB 2363: A BILL for an Act to amend and reenact subsection 1 of section 12.1-28-01 of the North Dakota Century Code, relating to the definition of gambling.

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

SB 2367: A BILL for an Act to amend and reenact subsection 1 of section 20.1-03-07 of the North Dakota Century Code, relating to nonresident small game hunting licenses.

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

SB 2368: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to nonprofit organization number plates.

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

SB 2369: A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to nonresident fishing license fees; and to amend and reenact section 20.1-03-10 of the North Dakota Century Code, relating to nonresident fishing licenses.

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

SB 2371: A BILL for an Act to create and enact a new section to chapter 19-18 of the North Dakota Century Code, relating to minimum-risk pesticides.

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

SB 2376: 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 the acreage requirement for gratis and the fee for preferential landowner licenses to hunt deer.

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

SB 2379: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to separation of bundled telecommunications services to identify services exempt from sales and use taxes; and to provide an effective date.

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

SB 2384: A BILL for an Act to amend and reenact subsection 3 of section 53-06.1-06 of the North Dakota Century Code, relating to games of chance accounting records.

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

SB 2388: A BILL for an Act to create and enact a new subsection to section 43-42-05 of the North Dakota Century Code, relating to reciprocity for the practice of respiratory therapy in emergency situations.

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

SB 2390: A BILL for an Act to provide for a legislative council study of city and county development impact fees.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2392: A BILL for an Act to amend and reenact section 57-40.5-02 of the North Dakota Century Code, relating to the aircraft excise tax rate for vintage aircraft for display at a museum or airshow; and to provide an effective date.

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

SB 2393: A BILL for an Act to provide for a legislative council study of sales, use, and gross receipts tax exemptions and rate reductions.

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

SB 2403: A BILL for an Act to amend and reenact section 4-10.4-04 of the North Dakota Century Code, relating to barley districts.

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

SB 2404: A BILL for an Act to direct a study of education funding by the legislative council.

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

SB 2405: A BILL for an Act to amend and reenact subsection 3 of section 49-16-01.1 of the North Dakota Century Code, relating to insurance requirements in leases between railroads and grain and potato warehouses.

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

SB 2410: A BILL for an Act to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to medical assistance and children's health insurance program eligibility determinations.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4005: A concurrent resolution designating United States Highway 2 through the state of North Dakota as the 164th Infantry Memorial Highway.

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

SCR 4009: A concurrent resolution directing the Legislative Council to study school district and library funding sources to determine if a method can be found to provide an incentive to reduce school district and library property tax levies.

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

SCR 4010: A concurrent resolution directing the Legislative Council to study alternatives to the current method of expressing property tax levies in mills per dollar of taxable valuation.

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

SCR 4011: A concurrent resolution directing the Legislative Council to study assessment and taxation of mobile homes and similar housing alternatives with an emphasis on making assessment and taxation of those housing alternatives equitable in comparison with assessment and taxation of traditional residential housing.

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

SCR 4015: A concurrent resolution commending Maury Wills on his major league baseball career and urging the Committee on Baseball Veterans of the Baseball Hall of Fame to elect Maury Wills to the Baseball Hall of Fame.

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

SCR 4017: A concurrent resolution urging Congress not to ratify the Central American Free Trade Agreement until Congress can guarantee the citizens of this state and this country that the domestic sugar industry will not suffer economic harm as a result of the agreement's provisions.

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

SCR 4019: A concurrent resolution urging all educators to ensure that the schoolchildren of North Dakota are taught the history of the United States flag, that they are taught to respect the flag, to exercise proper flag etiquette, and to understand that the flag is the most visible and enduring symbol of the American spirit.

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

SCR 4031: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Trust Code.

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

SCR 4032: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting Revised Article 1 of the Uniform Commercial Code, General Provisions.

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

REPORT OF STANDING COMMITTEE

HB 1069: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1069 was placed on the Sixth order on the calendar.

Page 1, line 1, after "new" insert "section to chapter 39-03.1, a new section to chapter 54-52, a new" and after "52-52.6-02" insert ", and a new section to chapter 54-52.6"

Page 1, line 2, after "to" insert "military service retirement credit and"

Page 1, line 4, remove "subsection 3 of"

Page 1, line 5, after the fourth comma insert "subsection 3 of section 54-52-05, section 54-52-06,"

Page 1, line 6, replace "subsection 5 of section" with "sections" and replace ", section" with "and"

Page 1, line 7, replace "sections 54-52.6-09.3 and" with "section"

Page 1, line 12, remove "and", replace "section" with "sections", and after "54-52-19.2" insert "and 54-52.6-09.3"

Page 1, line 14, after "system" insert "and retirement contributions for military service; and to provide an appropriation"

Page 1, replace lines 16 through 24 with:

"SECTION 1. AMENDMENT. Section 39-03.1-10.1 of the North Dakota Century Code is amended and reenacted as follows:

39-03.1-10.1. Refund and repurchase of contributions. Except as provided in ~~subsection 3~~ section 2 of this Act, a contributor whose employment has been terminated for at least thirty days is entitled to a refund of or to repurchase contributions as follows:

1. a. If the contributor has less than ten years of service at termination of employment, the refund is payable either on application of the contributor or, if within thirty days after termination the contributor has not provided a written statement to the board waiving the refund and requesting the contributor's account remain in the fund, automatically.
- b. If the contributor has at least ten years of service at the date of termination, the contributor may apply for a refund of accumulated deductions instead of retirement benefits. By receiving the refund of accumulated deductions under this subdivision, the contributor forfeits all months of service to the date of refund and cannot use those months for any future benefit calculations.
2. A contributor who was paid a refund under subdivision a of subsection 1 may, upon reemployment, elect to repurchase the forfeited past service for the retirement program and the retiree health benefits program in accordance with the rules adopted by the board.
3. ~~A member may elect to purchase qualified military service credit pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 [Pub. L. 103-353; 108 Stat. 3150; 38 U.S.C. 4301-4307] at any time prior to retirement by submitting a valid application and paying the member portion pursuant to rules adopted by the board. It is the responsibility of the applicant to supply any documentation required by the board.~~

SECTION 2. A new section to chapter 39-03.1 of the North Dakota Century Code is created and enacted as follows:

Military service under the Uniformed Services Employment and Reemployment Rights Act - Member retirement credit. A member reemployed under the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended [Pub. L. 103-353; 108 Stat. 3150; 38 U.S.C. 4301-4333], is entitled to receive retirement credit for the period of qualified military service. The required contribution for the credit, including payment for retiree health benefits, must be made in the same manner and by the same party as would have been made had the employee been continuously employed. If the salary the member would have received during the period of service is not reasonably certain, the member's average rate of compensation during the twelve-month period immediately preceding the member's period of service or, if shorter, the period of employment immediately preceding that period, times the number of months of credit being purchased must be used. Employees must be allowed up to three times the period of military service or five years, whichever is less, to make any required payments. This provision applies to all qualifying periods of military service since October 1, 1994. Any payments made by the member to receive qualifying credit inconsistent with this provision must be refunded. Employees shall make application to the employer for credit and provide a DD Form 214 to verify service."

Page 2, remove lines 1 through 31

Page 5, after line 17, insert:

"SECTION 8. AMENDMENT. Subsection 3 of section 54-52-05 of the North Dakota Century Code is amended and reenacted as follows:

3. Each employer, at its option, may pay all or a portion of the employee contributions required by subsection 2 and sections 54-52-06.1, 54-52-06.2, and 54-52-06.3 or the employee contributions required to purchase service credit on a pretax basis pursuant to subsection 6 5 of

section 54-52-17.4. Employees may not receive the contributed amounts directly once the employer has elected to pay the employee contributions. The amount paid must be paid by the employer in lieu of contributions by the employee. If the state determines not to pay the contributions, the amount that would have been paid must continue to be deducted from the employee's compensation. If contributions are paid by the employer, they must be treated as employer contributions in determining tax treatment under this code and the federal Internal Revenue Code. If contributions are paid by the employer, they may not be included as gross income of the employee in determining tax treatment under this code and the Internal Revenue Code until they are distributed or made available. The employer shall pay these employee contributions from the same source of funds used in paying compensation to the employee or from the levy authorized by subsection 5 of section 57-15-28.1. The employer shall pay these contributions by effecting an equal cash reduction in the gross salary of the employee or by an offset against future salary increases or by a contribution of a reduction in gross salary and offset against future salary increases. If employee contributions are paid by the employer, they must be treated for the purposes of this chapter in the same manner and to the same extent as employee contributions made prior to the date on which employee contributions were assumed by the employer. An employer exercising its option under this subsection shall report its choice to the board in writing.

SECTION 9. AMENDMENT. Section 54-52-06 of the North Dakota Century Code is amended and reenacted as follows:

54-52-06. Employer's contribution to retirement plan. Each governmental unit shall contribute an amount equal to four and twelve-hundredths percent of the monthly salary or wage of a participating member. For those members who elect to exercise their rights under ~~subsection 5 of section 54-52-17.4~~ section 12 of this Act, the employing governmental unit, or in the case of a member not presently under covered employment the most recent employing governmental unit, shall pay the associated employer contribution. If the employee's contribution is paid by the governmental unit under subsection 3 of section 54-52-05, the employer unit shall contribute, in addition, an amount equal to the required employee's contribution. Each governmental unit shall pay the contribution monthly, or in the case of an election made pursuant to ~~subsection 5 of section 54-52-17.4~~ section 12 of this Act a lump sum, into the retirement fund from its funds appropriated for payroll and salary or any other funds available for these purposes. Any governmental unit failing to pay the contributions monthly, or in the case of an election made pursuant to ~~subsection 5 of section 54-52-17.4~~ section 12 of this Act a lump sum, is subject to a civil penalty of fifty dollars and, as interest, one percent of the amount due for each month of delay or fraction thereof after the payment became due. In lieu of assessing a civil penalty or one percent per month, or both, interest at the actuarial rate of return may be assessed for each month the contributions are delinquent. If contributions are paid within ninety days of the date they became due, penalty and interest to be paid on delinquent contributions may be waived. An employer is required to submit contributions for any past eligible employee who was employed after July 1, 1977, for which contributions were not made if the employee would have been eligible to become vested had the employee participated and if the employee elects to join the public employees retirement system. Employer contributions may not be assessed for eligible service that an employee has waived pursuant to subsection 1 of section 54-52-05. The board shall report to each session of the legislative assembly the contributions necessary, as determined by the actuarial study, to maintain the fund's actuarial soundness."

Page 6, replace lines 13 through 31 with:

"SECTION 11. AMENDMENT. Section 54-52-17.4 of the North Dakota Century Code is amended and reenacted as follows:

54-52-17.4. Purchase of additional credit.

1. A member may elect to purchase credit for years of service and prior service for which the member is not presently receiving credit. A member is entitled to purchase additional credit under this section for the following service or prior service, except this service is not eligible for credit if the years claimed also qualify for retirement benefits from another retirement system:

- a. Active prior employment in the armed forces of the United States, except as provided in ~~subsection 5~~ section 12 of this Act, for up to four years of credit.
 - b. Employment as a permanent employee by a public employer either within or outside the state of North Dakota.
 - c. Employment as a permanent employee by a political subdivision participating in the public employees retirement system which did not pay the cost of past service benefits under section 54-52-02.1.
 - d. Service the participating member did not elect to repurchase upon reemployment under section 54-52-02.6.
 - e. Service of an eligible employee, who exercised the privilege to withdraw from the predecessor plan to the public employees retirement system under subsection 10 of section 54-52-17 as created by section 13 of chapter 499 of the 1977 Session Laws.
 - f. Employment as a permanent employee by the federal government.
2. A participating member may elect to purchase credit for the following absences for which the participating member is not receiving service credit:
 - a. Employer-approved leave of absence; or
 - b. Months away from work while participating as a seasonal employee.
3. Supreme and district court judges under the public employees retirement system may elect to purchase credit for the following years of service:
 - a. Except as provided in ~~subsection 5~~ section 12 of this Act, for up to four years of credit for active employment in the armed forces of the United States.
 - b. As a county judge in a county or counties that did not participate in the public employees retirement system under this chapter.
 - c. Participation in the public employees retirement system as a county judge may be converted to credit in the judges' retirement system.
4. The member may purchase credit under this section, or the member's employer may purchase for the member, by paying to the board an amount equal to the actuarial cost to the fund of providing the credit. If the member purchases credit pursuant to subdivision d of subsection 1, the member must pay to the board an amount equal to the greater of the actuarial cost to the fund of providing the credit, or the amount the member received upon taking a refund of the member's account balance, plus interest at the actuarial rate of return from the time the member was issued the refund. If the member is not repurchasing all of the credit originally refunded, the member must pay a pro rata amount of the refunded amount determined by dividing the refunded amount by the number of months of credit refunded, multiplying that amount times the number of months of credit the member seeks to repurchase, and adding interest at the actuarial rate of return. The member or the member's employer shall also pay to the retiree health benefits fund established under section 54-52.1-03.2 an amount equal to the actuarial cost to that fund for the additional credit. This contribution must be recorded as a member contribution pursuant to section 54-52.1-03.2. The board shall adopt rules governing the purchase of additional credit under this section.
- ~~5. A participating member, or a member not presently under covered employment, may request credit for qualified military service pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 [Pub. L. 103-353; 108 Stat. 3150; 38 U.S.C. 4301-4307]. The member shall submit a qualified application with proof of eligible military service to the board in order to receive credit for military service. For credit on and after July 1, 1966, the member must pay four percent times the salary the member would have received but for the period of service or, if that amount is not reasonably certain, the member's average rate of~~

~~compensation during the twelve-month period immediately preceding the member's period of service or, if shorter, the period of employment immediately preceding that period, times the number of months of credit being purchased. If the member makes the above payment, the governmental unit, or, in the case of a member not under covered employment, the last employing governmental unit, shall pay four and twelve hundredths percent times the salary the member would have received but for the period of service or, if that amount is not reasonably certain, the member's average rate of compensation during the twelve-month period immediately preceding the member's period of service or, if shorter, the period of employment immediately preceding that period, times the number of months of credit being purchased. In addition, the governmental unit, or in the case of a member not under covered employment the last employing governmental unit, shall pay to the retiree health benefits fund established under section 54-52.1-03.2 the percentage required by section 54-52.1-03.2 times the salary the member would have received but for the period of service or, if that amount is not reasonably certain, the member's average rate of compensation during the twelve-month period immediately preceding the member's period of service or, if shorter, the period of employment immediately preceding that period, times the member's months of credit being purchased. For credit before July 1, 1966, no contribution is required.~~

- 6- 5. Pursuant to rules adopted by the board, the board may allow a member to purchase service credit with either pretax or aftertax moneys, at the board's discretion. If the member elects to purchase service credit using pretax moneys, the requirements and restrictions in subsection 3 of section 54-52-05 apply to the purchase arrangement.
- 7- 6. In addition to service credit identified in this section, a vested member may purchase up to five years of service credit unrelated to any other eligible service.

SECTION 12. A new section to chapter 54-52 of the North Dakota Century Code is created and enacted as follows:

Military service under the Uniformed Services Employment and Reemployment Rights Act - Member retirement credit. A member reemployed under the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended [Pub. L. 103-353; 108 Stat. 3150; 38 U.S.C. 4301-4333], is entitled to receive retirement credit for the period of qualified military service. The required contribution for the credit, including payment for retiree health benefits, must be made in the same manner and by the same party as would have been made had the employee been continuously employed. If the salary the member would have received during the period of service is not reasonably certain, the member's average rate of compensation during the twelve-month period immediately preceding the member's period of service or, if shorter, the period of employment immediately preceding that period, times the number of months of credit being purchased must be used. Employees must be allowed up to three times the period of military service or five years, whichever is less, to make any required payments. This provision applies to all qualifying periods of military service since October 1, 1994. Any payments made by the member to receive qualifying credit inconsistent with this provision must be refunded. Employees shall make application to the employer for credit and provide a DD Form 214 to verify service."

Page 7, remove lines 1 through 19

Page 8, replace lines 19 through 31 with:

"SECTION 16. A new section to chapter 54-52.6 of the North Dakota Century Code is created and enacted as follows:

Military service under the Uniformed Services Employment and Reemployment Rights Act - Member retirement credit. A member reemployed under the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended [Pub. L. 103-353; 108 Stat. 3150; 38 U.S.C. 4301-4333], is entitled to receive retirement credit for the period of qualified military service. The required contribution for the credit, including payment for retiree health benefits, must be made in the same manner and by the same party as would have been made had the employee been continuously employed. If the salary the member would have received during the period of service is not reasonably certain, the member's average rate of compensation during the

twelve-month period immediately preceding the member's period of service or, if shorter, the period of employment immediately preceding that period, times the number of months of credit being purchased must be used. Employees must be allowed up to three times the period of military service or five years, whichever is less, to make any required payments. This provision applies to all qualifying periods of military service since October 1, 1994. Any payments made by the member to receive qualifying credit inconsistent with this provision must be refunded. Employees shall make application to the employer for credit and provide a DD Form 214 to verify service."

Page 9, remove lines 1 through 22

Page 10, line 25, replace "Section" with "Sections", after "54-52-19.2" insert "and 54-52.6-09.3", and replace "is" with "are"

Page 10, after line 26, insert:

"SECTION 19. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from other funds derived from federal funds and other income, to the following departments for the purpose of defraying the cost of paying military service retirement credit for the biennium beginning July 1, 2005, and ending June 30, 2007, as follows:

AGENCY	GENERAL FUND	OTHER FUNDS
Office of management and budget	\$0	\$3,343
Judicial branch	3,144	0
Retirement and investment office	0	1,803
State department of health	5,920	10,738
Department of human services	7,614	0
Job service North Dakota	0	3,780
Highway patrol	3,824	0
Department of corrections and rehabilitation	29,778	3,053
Adjutant general	7,027	18,249
Game and fish department	0	1,932
Parks and recreation department	2,201	207
State water commission	0	2,512
Department of transportation	0	50,854
Total	\$59,508	\$96,471"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1070: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1070 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1071: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1071 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1148: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1148 was placed on the Sixth order on the calendar.

Page 1, line 10, after the period insert "The department shall seek a waiver of federal law to permit the personal care services authorized under this section to be provided by nonlicensed personal care service providers if requested by the recipient and authorized by the department."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1169: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1169 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and" and after "operating" insert ", and disposing"

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

Page 1, line 6, after "authority" insert "; and to provide for reports to the legislative council"

Page 2, after line 5, insert:

"7. State ownership of electrical transmission facilities may not exceed the extent and duration necessary or useful to promote the public interest."

Page 2, line 12, remove "Facilities" means electric transmission facilities and related supporting

Page 2, remove line 13

Page 2, line 14, remove "4."

Page 2, line 15, after "construct" insert "transmission"

Page 2, line 16, after "such" insert "transmission"

Page 2, line 17, replace "5." with "4." and after "a" insert "transmission"

Page 2, after line 18, insert:

"5. "Transmission facilities" means electric transmission lines and substations, and related structures, equipment, rights of way, and works of public improvement, located within and outside this state, excluding electric generating facilities."

Page 2, line 20, replace "through improvements in the state's infrastructure and" with "by facilitating development of transmission facilities to support"

Page 2, line 21, remove "to facilitate", after "the" insert "production, transportation, and", after "Dakota" insert "electric", and remove "by planning, financing, constructing."

Page 2, remove lines 22 and 23

Page 2, line 24, remove "transportation, and utilization of electric energy"

Page 3, line 16, after "8." insert "Enter lease-sale contracts;

9."

Page 3, line 17, replace "project" with "transmission facility"

Page 3, line 19, replace "9." with "10.", replace "Plan" with "To the extent and for the period of time necessary for the accomplishment of the purposes for which the authority was created, plan", and remove "construct,"

Page 3, remove line 20

Page 3, line 21, replace "structures, equipment," with "and dispose of transmission" and remove "and works of public improvement necessary or"

Page 3, remove line 22

Page 3, line 23, remove "including the obtaining of permits and the acquisition of rights of way"

Page 3, after line 23, insert:

"11. Enter contracts to construct, maintain, and operate transmission facilities;"

Page 3, line 24, replace "10." with "12."

Page 3, line 26, after "for" insert "transmission" and remove "administrated by the authority"

Page 3, line 27, replace "it, consistent with cost-causation principles until such time as" with "the authority"

Page 3, line 28, remove "the costs of the regional transmission system are shared on a systemwide basis"

Page 3, line 29, replace "11. Operate, lease" with "13. Lease", after "of" insert "transmission", replace "constructed" with "owned", and replace the fourth underscored comma with an underscored semicolon

Page 3, remove line 30

Page 3, line 31, replace "12." with "14."

Page 4, line 1, replace "13." with "15."

Page 4, line 2, replace "14." with "16."

Page 4, line 5, after "constructing" insert "transmission"

Page 4, line 7, replace "Prior to" with "Before" and after "construct" insert "transmission"

Page 4, line 9, after "for" insert "transmission"

Page 4, line 10, after the second "the" insert "transmission"

Page 4, line 11, remove "shall"

Page 4, line 14, replace "shall" with "may" and after "construct" insert "transmission"

Page 4, line 16, after "including" insert "economic impact to the state,"

Page 4, line 17, after the second underscored comma insert "past performance,"

Page 4, line 20, after "the" insert "transmission"

Page 4, line 22, replace "constructing" with "contracting for construction of"

Page 4, line 25, replace "project," with "transmission facility"

Page 5, line 9, after "indebtedness" insert "and grants, loans, or other forms of financial assistance"

Page 5, line 10, replace "projects," with "transmission"

Page 5, line 14, replace "projects or" with "transmission"

Page 7, line 6, replace "project or" with "transmission"

Page 7, line 7, replace "project or" with "transmission"

Page 7, line 8, replace "project or" with "transmission"

Page 7, line 10, replace "shall be" with "are"

Page 7, line 11, replace "project or" with "transmission"

Page 7, line 16, after "jurisdiction" insert "and consultation"

Page 7, line 17, after the first "the" insert "transmission" and replace "constructed or operated by the authority" with "built under this chapter, until sold or disposed of by the authority,"

Page 7, line 18, remove ", the North Dakota Energy"

Page 7, line 19, remove "Conversion and Transmission Facility Siting Act" and after the underscored period insert "Upon sale or disposal by the authority, transmission facilities built under this chapter are subject to the provisions of title 49."

Page 7, line 21, after "its" insert "transmission" and replace "shall" with "must"

Page 7, after line 23, insert:

- "3. The authority shall conduct its activities in consultation with transmission providers, wind interests, the lignite research council, and other persons having relevant expertise."

Page 7, after line 29, insert:

"SECTION 11. Disposal of transmission facilities.

1. Before becoming an owner or partial owner of a transmission facility, the authority shall develop a plan identifying:
 - a. The public purposes of the authority's ownership;
 - b. Conditions that would make the authority's ownership no longer necessary for accomplishing those public purposes; and
 - c. A plan to divest the authority's ownership interest as soon as economically prudent once those conditions occur.
2. For transmission facilities that are leased to another entity by the authority, at the end of the lease, absent default by the lessee, the authority shall convey its interest in the transmission facilities to the lessee.
3. For transmission facilities that are owned by the authority without a lessee, the authority shall divest itself of ownership as soon as economically prudent in accordance with the divestiture plan developed pursuant to subsection 1.

SECTION 12. Exemption from property taxes. Transmission facilities built under sections 1 through 11 of this Act are exempt from property taxes for a period determined by the authority not to exceed the first five taxable years of operation; after this initial period, transmission lines of two hundred thirty kilovolts or larger and the transmission lines' associated transmission substations remain exempt from property taxes but are subject to a per mile tax at the full per mile rate and subject to the same manner of imposition and allocation as the per mile tax imposed by subsection 2 of section 57-33.1-02 without application of the discounts provided in that subsection.

SECTION 13. Biennial report to legislative council. The authority shall deliver a written report on its activities to the legislative council each biennium."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1172, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1172 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "and" and after "date" insert "; and to provide an expiration date"

Page 6, line 7, remove the overstrike over "~~(Effective through June 30,~~", after "2005" insert "2007", and remove the overstrike over the boldfaced overstruck closing parenthesis

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1173, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (14 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1173 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1181, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1181 was placed on the Sixth order on the calendar.

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

Page 1, line 3, remove "provide an appropriation;"

Page 1, line 11, remove "five hundred"

Page 1, line 21, remove "five hundred"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 6

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendment allows a Medicaid recipient to set aside up to \$5,000 for funeral expenses rather than \$3,000 under current law and \$5,500 included in the engrossed bill and as recommended in the executive budget.

The appropriation section is removed because funding for this change is included in House Bill No. 1012, the Department of Human Services appropriations bill.

REPORT OF STANDING COMMITTEE

HB 1189, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (17 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HB 1189 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1224: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1224 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 3 of section 39-08-01 and"

Page 1, line 2, replace "the impoundment of number plates" with "ignition interlock devices"

Page 1, line 3, remove "and motor vehicles for driving while under the influence"

Page 1, remove lines 5 through 21

Page 2, line 3, remove "1."

Page 2, remove lines 10 through 14

Page 2, line 15, remove "3." and overstrike "may also" and insert immediately thereafter "shall"

Page 2, line 16, after "appropriate" insert "for a second or subsequent violation of section 39-08-01 or an equivalent ordinance within five years"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1239: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1239 was placed on the Sixth order on the calendar.

Page 1, line 9, after the first "the" insert "written"

Page 1, line 20, after the first "the" insert "written"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1244: Government and Veterans Affairs Committee (Rep. Haas, Chairman)
recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING).
HB 1244 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1254: Government and Veterans Affairs Committee (Rep. Haas, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1254 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 16.1-05-07 of the North Dakota Century Code, relating to approved forms of identification for voting purposes.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16.1-05-07 of the North Dakota Century Code is amended and reenacted as follows:

16.1-05-07. Poll clerks to check identification and verify eligibility - Poll clerks to request, correct, and update incorrect information contained in the pollbook.

1. Before delivering a ballot to an individual according to section 16.1-13-22, the poll clerks shall request the individual to show ~~a driver's license issued by the state, another form of identification displaying a photograph of the individual and the individual's date of birth, or another appropriate form of identification prescribed by the secretary of state, which includes the individual's residential address and date of birth.~~ The identification may include:
 - a. An official form of identification issued by the state;
 - b. An official form of identification issued by a tribal government;
 - c. A form of identification prescribed by the secretary of state; or
 - d. A combination of any of the forms of identification under subdivisions a through c.
2. ~~If an individual offering to vote fails~~ does not have or refuses to show an appropriate form of identification, the individual may be allowed to vote without being challenged according to section 16.1-05-06 if the individual provides to the election board the individual's date of birth and if a member of the election board or a clerk knows the individual and can personally vouch that the individual is a qualified elector of the precinct. ~~After verifying that the individual's name is contained in the pollbook generated from the central voter file, poll clerks shall verify the individual's residential address and mailing address, if different from the individual's residential address.~~
2. ~~If the individual's name is not contained in the pollbook generated from the central voter file, the individual may be challenged according to section 16.1-05-06 and the individual's name must be recorded in the pollbook. The poll clerks shall request and obtain any additional information for the individual required to be included in the pollbook.~~
3. If an individual offering to vote does not meet either of the options set forth in subsection 1 or 2, the election board shall challenge the individual's right to vote and the individual may not vote unless the individual executes a voter's affidavit, as provided in section 16.1-05-06.
4.
 - a. When verifying an individual's eligibility or when entering the name of an individual into the pollbook, poll clerks shall request, correct, and update any incorrect or incomplete information about an individual that is required to be ~~contained~~ included ~~in the pollbook generated from the central voter file.~~

- b. If the individual's name is contained in the pollbook generated from the central voter file, the poll clerks shall verify the individual's residential address and mailing address, if different from the individual's residential address.
 - c. If the individual's name is not contained in the pollbook generated from the central voter file but the individual is determined eligible to vote, the poll clerks shall record the individual's name in the pollbook. The poll clerks shall request and obtain any additional information for the individual required to be included in the pollbook.
4. 5. Poll clerks shall direct an individual who is attempting to vote in the incorrect precinct to the proper precinct and voting location."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1271: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1271 was placed on the Sixth order on the calendar.

Page 1, line 8, after the first comma insert "stepchild,"

Page 1, line 13, after "child" insert "or a stepchild" and after "veteran" insert ", as defined in section 37-01-40,"

Page 1, line 17, replace "is" with "has been" and after "state" insert "and was a resident of this state at the time of death or determination of total disability of the veteran"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1276: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1276 was placed on the Sixth order on the calendar.

Page 1, line 12, after "or" insert "otherwise"

Page 1, line 13, after "land" insert "and which receives compensation from a third party for use of that land"

Page 1, line 24, replace "an intentional" with "a substantial"

Page 2, replace lines 9 through 15 with "outfitter on land the person knows is owned by the state unless the appropriate state agency permits or authorizes the guiding or outfitting, on private land enrolled by the department for purposes of hunting, on land in which the department pays in lieu of taxes, on federal lands without being authorized or permitted as required by the appropriate federal agency, or on private lands posted against hunting or trespassing without first informing and obtaining permission from the landowner to conduct guiding or outfitting on the land. If the landowner did not grant the permission in writing, there is a presumption that the permission did not exist."

Page 2, line 30, after "license" insert "unless that individual provides proof to the department that the individual has been exempt under subsection 4 of section 20.1-03-36.1 and has been conducting outfitter or guide service as an exempt individual for at least two years"

Page 3, line 15, after "outfitters" insert "or guides"

Page 3, line 17, remove "a" and replace "outfitter" with "outfitters or guides"

Page 3, line 26, after "guide" insert "or hunting outfitter"

Page 3, line 28, after the period insert "The department may waive this requirement if the applicant proves that the applicant has legally hunted for parts of at least three years in other states and an outfitter employing that individual would suffer an undue hardship without that individual."

Page 4, line 17, after "warden" insert "during normal business hours"

Page 5, line 29, after "violates" insert "a criminal provision of"

Page 6, line 3, replace "any other violation" with "more than two independent violations"

Page 6, line 5, remove the underscore under the underscored period

Page 6, line 16, remove "associate with,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1279, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1279 was placed on the Sixth order on the calendar.

Page 6, line 28, replace "the environmental" with "a separate account in the department's"

Page 6, line 29, remove the first "remediation"

Page 6, line 30, after "and" insert "moneys deposited in this account"

Page 7, line 5, replace "environmental remediation operating fund" with "separate account in the department's operating fund from fees collected under this section"

Page 7, line 8, replace "the environmental remediation operating fund" with "moneys in the separate account"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1315: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1315 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1331: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1331 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1338: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO NOT PASS** (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HB 1338 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1342: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1342 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "39-29-10, 39-29-12,"

Page 8, remove lines 21 through 31

Page 9, remove lines 1 through 30

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1352: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1352 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1356: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1356 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1361: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1361 was placed on the Sixth order on the calendar.

Page 1, line 7, after "address" insert ", as provided in this subsection:

- a. Information and records may not be used to engage in any political activity or promote the candidacy of an individual or the adoption or defeat of a measure;
- b. Information and records may not be used to provide material to members of other organizations or entities;
- c. Information and records may be used only for the purpose for which they are requested and may not be used more than once per request; and
- d. Information and records may not be provided, sold, or otherwise disclosed by the member interest group to another entity"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1367: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1367 was placed on the Sixth order on the calendar.

Page 1, line 8, after the period insert "For purposes of this section, baiting does not include the placing of food bales or the planting of food plots for wildlife."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1369: Transportation Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1369 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1370: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1370 was placed on the Sixth order on the calendar.

Page 1, line 3, after "commission" insert "; and to declare an emergency"

Page 1, replace lines 7 and 8 with:

"Prohibit the assessment of a railroad fuel surcharge on a shipment of commodities originating in this state if the surcharge is not assessed in a region, zone, or area on a per car basis or if the surcharge exceeds on a per car basis the surcharge on a carload shipment of the commodities originating in the same or similar region, zone, or area.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1388: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1388 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1398: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(9 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1398 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "section 57-15-06.6 and"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 57-15-06.6 of the North Dakota Century Code is amended and reenacted as follows:

57-15-06.6. Levy authorized for regional or county correction centers. The board of county commissioners of each county may levy an annual tax not exceeding the limitation in subsection 19.1 of section 57-15-06.7 for the purpose of constructing, equipping, operating, and maintaining regional or county corrections centers and for the purpose of contracting services from another public or private entity."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1399: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1399 was placed on the Sixth order on the calendar.

Page 1, line 11, remove "within the boundaries of the water"

Page 1, line 12, remove "resource district" and after the period insert "The benefits of a project must be determined in the manner provided in section 61-16.1-17."

Page 2, line 3, after the period insert:

- "(1) If a board that undertakes a project finds that the project will benefit lands outside water resource district boundaries, the board shall provide notice to the water resource board where the benefited lands are located together with the report prepared under section 61-16.1-17.
- (2) The board of each water resource district containing lands benefited by a project must approve the project and assessment by a vote of two-thirds of its members. The board of county commissioners in each county that contains lands benefited by a project must approve and levy the assessment to be made by a vote of two-thirds of its members.
- (3) If a project and assessment is not approved by all affected water resource boards and county commission boards, the board of each water resource district and the board of county commissioners of each county shall meet to ensure that all common water management problems are resolved pursuant to section 61-16.1-10. In addition, the water resource board that undertakes the project may proceed with the project if the board finances the cost of the project and does not assess land outside the boundaries of the district."

Page 2, line 8, after "held" insert "and", overstrike the first "board" and insert immediately thereafter "affected water resource boards", and overstrike the second "board" and insert immediately thereafter "affected boards"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1404, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HB 1404 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1417: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1417 was placed on the Sixth order on the calendar.

Page 7, line 25, remove "may include", overstrike "the district", remove "political", and overstrike "committee of all"

Page 7, overstrike line 26

Page 7, line 27, overstrike "by the district chairmen" and insert immediately thereafter "each" and overstrike "which" and insert immediately thereafter "that"

Page 7, line 28, replace "District" with "The district chairmen of the political parties from each legislative district within the county shall appoint the respective political party representative."

Page 7, remove lines 29 and 30

Page 7, line 31, remove "of the county canvassing board."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1421: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1421 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1428: Transportation Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1428 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1440: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1440 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1457: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1457 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1467: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1467 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 43-42-01, two new subsections to section 43-42-03, and a new section to chapter 43-42 of the North Dakota Century Code, relating to temporary licenses for respiratory therapy students; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 43-42-01 of the North Dakota Century Code is created and enacted as follows:

"Student respiratory therapist" means a student currently enrolled in a board-approved respiratory therapy educational program that is accredited and in good standing with the commission on accreditation of allied health education programs, or its successor organization, who holds a temporary license under section 43-42-03.

SECTION 2. Two new subsections to section 43-42-03 of the North Dakota Century Code are created and enacted as follows:

Notwithstanding subsection 3, the board shall issue a temporary license for an applicant to practice as a student respiratory therapist if the applicant:

- a. Is a student currently enrolled in a board-approved respiratory therapy educational program, accredited and in good standing with the commission on accreditation of allied health education programs, or its successor organization.
- b. Complies with board-established application instructions and requirements.
- c. Pays the application, initial issuance, and renewal fees for a temporary license.

The board shall renew a temporary license issued to a student respiratory therapist if the health care institution and the student annually supply evidence to the board of satisfactory and timely progress toward graduation. A temporary student respiratory therapist license may be renewed annually for a maximum of four years. On a case-by-case basis, the board may renew a license beyond the four-year limit upon a showing of good cause.

SECTION 3. A new section to chapter 43-42 of the North Dakota Century Code is created and enacted as follows:

Student respiratory therapists.

1. A student respiratory therapist may only perform procedures that have been part of courses the student has successfully completed in the accredited program in which the student is enrolled and for which the student's employing health care institution has verified and documented competency.
2. A student respiratory therapist may only perform respiratory therapy procedures under the proximate supervision or direction of a physician, certified or registered respiratory therapist, registered nurse, physicians assistant, or nurse practitioner who is physically close enough to be readily available if needed by the supervised student.
3. A student respiratory therapist must be identified to the public as a student respiratory therapist while working in a health care institution.
4. Upon graduation, a student respiratory therapist is subject to subsection 2 of section 43-42-05 regarding application for a permanent license.

SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1468: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1468 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1469: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **DO NOT PASS** (9 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1469 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1476: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1476 was placed on the Sixth order on the calendar.

Page 1, line 16, after the underscored comma insert "if required by the board of county commissioners or board of township supervisors."

Page 1, line 17, replace "July sixteenth of each year" with "such time as designated by the board of county commissioners or board of township supervisors"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1479: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1479 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 subsection 1 of section 40-47-01.1 of the North Dakota Century Code, relating to extraterritorial zoning authority of cities; and to provide for application.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 40-47-01.1 of the North Dakota Century Code is amended and reenacted as follows:

1. A city may, by ordinance, extend the application of a city's zoning regulations to any quarter quarter section of unincorporated territory if a majority of the quarter quarter section is located within the following distance of the corporate limits of the city:
 - a. ~~One One-half~~ mile [~~1.61 kilometers~~ .80 kilometer] if the city has a population of less than five thousand.
 - b. ~~Two miles~~ One mile [~~3.22~~ 1.61 kilometers] if the city has a population of five thousand or more, but less than twenty-five thousand.
 - c. ~~Four Two~~ miles [~~6.44~~ 3.22 kilometers] if the city has a population of twenty-five thousand or more.

SECTION 2. APPLICATION. Any city exercising extraterritorial zoning or subdivision authority beyond the limits set forth in section 1 of this Act must relinquish that authority on the effective date of this Act."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1485: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1485 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 terms of broadcast agreements with public entities.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Broadcast agreements with public entities - Terms. A public entity as defined in section 44-04-17.1 may not grant broadcast rights of a public event to any person which result in a cable television system operator being the exclusive broadcaster in a city in which there exists one or more competing cable television operators that collectively serve at least twenty-five percent of that city's total cable television subscribers. If a cable television system operator broadcasts a public event in such a city, the public entity shall provide on similar terms the same content provided to that cable television system operator to any other cable television system operators in that city."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1490: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1490 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1493: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1493 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "or a political subdivision"

Page 1, line 4, remove "**or political subdivision**"

Page 1, line 5, replace "class" with "civil" and remove "or a"

Page 1, line 6, remove "political subdivision" and replace "class" with "civil"

Page 1, line 7, remove "or a political subdivision"

Page 1, line 13, remove "or"

Page 1, line 14, remove "political subdivision"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1494: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1494 was placed on the Sixth order on the calendar.

Page 1, line 3, after "reenact" insert "subdivision c of subsection 3 of section 38-08-08, subdivision c of subsection 3 of section 38-08-09.4, and"

Page 1, line 4, after the first "to" insert "nonparticipating owners in the development of oil and gas interests in spacing units and plans of unitization and"

Page 1, after line 6, insert:

"SECTION 1. AMENDMENT. Subdivision c of subsection 3 of section 38-08-08 of the North Dakota Century Code is amended and reenacted as follows:

- c. The owner paying for the nonparticipating owner's share of the drilling and operation of a well may recover from the nonparticipating owner a risk penalty for the risk involved in drilling and completing the well only if the paying owner has made an unsuccessful, good-faith attempt to have the unleased nonparticipating owner execute a lease or to have the leased nonparticipating owner join in and participate in the risk and cost of drilling the well. Before a risk penalty may be imposed, the paying owner must notify the nonparticipating owner with proof of service that the paying owner intends to impose a risk penalty and that the nonparticipating owner may object to the risk penalty by either responding in opposition to the petition for a risk penalty or if no such petition has been filed, by filing an application or request for hearing with the industrial commission. Bonuses, rental payments, royalties, and other payments offered or made to a trustee or unlocatable owner under chapter 38-13 may not be considered in determining whether an attempt to have the unleased nonparticipating owner execute a lease or to have the leased nonparticipating owner join in and participate in the risk and cost of drilling the well under this subdivision is in good faith or is reasonable.

SECTION 2. AMENDMENT. Subdivision c of subsection 3 of section 38-08-09.4 of the North Dakota Century Code is amended and reenacted as follows:

- c. The owner paying for the nonparticipating owner's share of the unit expense may recover from the nonparticipating owner a risk penalty for the risk involved in the unit expense only if the paying owner has made an unsuccessful, good-faith attempt to have the unleased nonparticipating owner execute a lease or to have the leased nonparticipating owner join in and participate in the risk of the unit expense. Before a risk penalty may be imposed, the paying owner must notify the nonparticipating owner with proof of service that the

paying owner intends to impose a risk penalty and that the nonparticipating owner may object to the risk penalty by either responding in opposition to the petition for a risk penalty or if no such petition has been filed, by filing an application or request for hearing with the industrial commission. Bonuses, rental payments, royalties, and other payments offered or made to a trustee or unlocatable owner under chapter 38-13 may not be considered in determining whether an attempt to have the unleased nonparticipating owner execute a lease or to have the leased nonparticipating owner join in and participate in the risk and cost of drilling the well under this subdivision is in good faith or is reasonable."

Page 1, line 17, after the underscored period insert "The board may charge and deduct from earnings a reasonable fee for services provided under this chapter."

Page 1, line 19, replace "The" with "Those funds and the"

Page 1, line 24, remove "At the end of a period of twenty"

Page 2, remove lines 1 through 3

Page 2, line 23, remove "that has been in existence for"

Page 2, line 24, remove "twenty years" and remove "at the expiration"

Page 2, line 25, remove "of the twenty-year period the mineral interest", after "is" insert "not", and remove "not"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1502: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1502 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "private" with "privately owned real"

Page 1, line 4, after "owned" insert "real"

Page 1, line 7, after the period insert "This section does not apply to the department of transportation for purposes of acquisition of real property for roads, highways, bridges, infrastructure, and wetlands mitigation purposes."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1506, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1506 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3013: Transportation Committee (Rep. Weisz, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3013 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3014: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3014 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3016: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3016 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3026: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS,

0 ABSENT AND NOT VOTING). HCR 3026 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3029: Natural Resources Committee (Rep. Nelson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3029 was placed on the Tenth order on the calendar.

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

Bradley C. Fay, Chief Clerk

