

JOURNAL OF THE HOUSE

Fifty-ninth Legislative Assembly

Bismarck, March 10, 2005

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

The prayer was offered by Chaplain Burnie Kunz, Medcenter One, Bismarck.

The roll was called and all members were present except Representatives R. Kelsch, Nicholas, and Thorpe.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 943, line 6, remove "and **BE**"

Page 943, line 7, remove "**REREFERRED TO THE Appropriations Committee**"

Page 943, line 42, remove "and"

Page 943, line 43, remove "**BE REREFERRED to the Appropriations Committee**"

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

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on March 9, 2005, I have signed the following: HB 1027, HB 1075, HB 1107, HB 1122, HB 1123, HB 1125, HB 1144, HB 1167, HB 1182, HB 1199, HB 1300, HB 1340, HB 1358, HB 1389, HB 1392, HB 1396, HB 1491, HB 1492, and HB 1519.

MOTION

REP. BERG MOVED that the House request the Governor to return HB 1223 for purposes of reconsideration and that the Governor be informed that upon return of HB 1223 to the Governor the bill is deemed presented to the Governor for purposes of Section 9 of Article V of the Constitution of North Dakota, which motion prevailed.

SIXTH ORDER OF BUSINESS

SPEAKER KLEIN DEEMED approval of SB 2125 SB 2133, SB 2232 and SB 2335.

SB 2125, SB 2133, SB 2232 and SB 2335, as amended, were placed on the Fourteenth order of business on the calendar.

MOTION

REP. MONSON MOVED that SB 2340, which is on the Fourteenth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, SB 2340 was rereferred.

MOTION

REP. MONSON MOVED that SB 2351, which is on the Fourteenth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, SB 2351 was rereferred.

MOTION

REP. MONSON MOVED that SB 2076 be laid over two legislative days, which motion prevailed.

MOTION

REP. MONSON MOVED that SB 2321 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2321: A BILL for an Act to amend and reenact section 23-01-02 of the North Dakota Century Code, relating to health council membership inclusion of an enrolled member of a federally recognized tribe and a representative of the food service industry.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 35 YEAS, 56 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Kelsch, R.; Nicholas; Thorpe

Engrossed SB 2321 lost.

SECOND READING OF SENATE BILL

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.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; 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; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Froelich; Kelsch, R.; Nicholas; Thorpe

SB 2249 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Froseth; Galvin;

Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; 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; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Froelich; Herbel; Kelsch, R.; Nicholas; Thorpe

Engrossed SB 2273 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

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; 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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; 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; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Froelich; Herbel; Kelsch, R.; Nicholas; Thorpe

SB 2293 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 7 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Bernstein; Boe; Boucher; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Gulleson; Haas; Hanson; Hawken; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; 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; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Boehning; Brandenburg; Carlson; Delzer; Grande; Headland; Skarphol

ABSENT AND NOT VOTING: Berg; Froelich; Herbel; Kelsch, R.; Nicholas; Thorpe

Engrossed SB 2220 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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; 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; to provide for transition; 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 77 YEAS, 13 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Damschen; Delzer; Drovdal; Froelich; Froseth; Kerzman; Pollert; Ruby; Skarphol; Thoreson; Timm; Weiler

ABSENT AND NOT VOTING: Herbel; Kelsch, R.; Nicholas; Thorpe

Engrossed SB 2294 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

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.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 2 NAYS, 0 EXCUSED, 4 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; Gulleeson; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; 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; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Ruby; Weisz

ABSENT AND NOT VOTING: Herbel; Kelsch, R.; Nicholas; Thorpe

Engrossed SB 2338 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2036: A BILL for an Act to amend and reenact section 54-44.1-11 of the North Dakota Century Code, relating to the cancellation of unexpended appropriations for the North Dakota university system; 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 85 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Keiser; 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; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Bellew; Carlson; Kasper; Pollert; Skarphol

ABSENT AND NOT VOTING: Herbel; Kelsch, R.; Nicholas; Thorpe

SB 2036 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2221: A BILL for an Act to provide an appropriation for petitioning costs for indigent individuals who have been referred to corporate guardianships.

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

YEAS: Amerman; Delmore; Ekstrom; Gulleston; Hanson; Hawken; Johnson, N.; Kelsh, S.; Maragos; Meyer, S.; Owens; Schmidt; Solberg; Zaiser

NAYS: Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Headland; Horter; Hunskor; Iverson; Johnson, D.; Kaldor; Kasper; Keiser; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

ABSENT AND NOT VOTING: Herbel; Kelsch, R.; Nicholas; Thorpe

SB 2221 lost.

SECOND READING OF SENATE BILL

SB 2117: A BILL for an Act to amend and reenact sections 14-02.4-02, 14-02.4-14, 14-02.4-19, 14-02.4-20, and 14-02.4-23 of the North Dakota Century Code, relating to department of labor discriminatory practices proceedings.

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, 3 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; Gulleston; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol;

Solberg; Svedjan; Thoreson; Timm; Uglen; Vigasaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Bellew; Ruby; Weisz

ABSENT AND NOT VOTING: Herbel; Kelsch, R.; Maragos; Nicholas; Thorpe

SB 2117 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2187: A BILL for an Act to create and enact section 26.1-27-03.1 of the North Dakota Century Code, relating to 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.

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; 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; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; 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; Svedjan; Thoreson; Timm; Uglen; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Herbel; Kelsch, R.; Maragos; Nicholas; Thorpe

SB 2187 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

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; 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; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; 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; Svedjan; Thoreson; Timm; Uglen; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Boe; Herbel; Kelsch, R.; Maragos; Nicholas; Thorpe

Engrossed SB 2219 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2251: A BILL for an Act to create and enact chapter 51-30 of the North Dakota Century Code, relating to requiring disclosure to consumers of a breach in security by

businesses maintaining personal information in electronic form; 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; to provide a penalty; and to declare an emergency.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; 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; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; 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; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Boe; Herbel; Kelsch, R.; Maragos; Nicholas; Thorpe

Engrossed SB 2251 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

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.

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; Berg; Bernstein; 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; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; 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; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

ABSENT AND NOT VOTING: Boe; Herbel; Kelsch, R.; Maragos; Nicholas; Thorpe

SB 2250 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

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.

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 54 YEAS, 35 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Bernstein; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Conrad; Damschen; Delmore; Ekstrom; Froelich; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kelsh, S.; Kerzman; Kingsbury; Klemin; Kreidt; Kretschmar;

Kroeber; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nottestad; Onstad; Owens; Potter; Price; Sandvig; Schmidt; Skarphol; Solberg; Svedjan; Uglem; Wall; Williams; Zaiser

NAYS: Bellew; Berg; Boehning; Carlson; Charging; Clark; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovda; Froseth; Iverson; Kasper; Keiser; Kempenich; Koppelman; Meier, L.; Norland; Pietsch; Pollert; Porter; Rennerfeldt; Ruby; Sitte; Thoreson; Timm; Vigasaa; Wald; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

ABSENT AND NOT VOTING: Herbel; Kelsch, R.; Maragos; Nicholas; Thorpe

SB 2212 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2243: A BILL for an Act to amend and reenact section 57-01-05 of the North Dakota Century Code, relating to an annual audit of property tax assessments and property tax exemption decisions; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 72 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Delmore; Dietrich; Dosch; Glassheim; Hanson; Horter; Keiser; Meier, L.; Metcalf; Mueller; Porter; Potter; Schmidt; Wall; Williams; Zaiser

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delzer; Devlin; Drovda; Ekstrom; Froelich; Froseth; Galvin; Grande; Gulleon; Haas; Hawken; Headland; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meyer, S.; Monson; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Price; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

ABSENT AND NOT VOTING: Herbel; Kaldor; Kelsch, R.; Maragos; Nicholas; Thorpe

Reengrossed SB 2243 lost.

SECOND READING OF SENATE BILL

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.

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 77 YEAS, 8 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Brandenburg; Carlisle; Charging; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gulleon; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; 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; Svedjan; Timm; Uglem; Vigasaa; Wald; Wall; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Bellew; Brusegaard; Carlson; Clark; Grande; Kasper; Thoreson; Weiler

ABSENT AND NOT VOTING: Boucher; Delzer; Herbel; Kaldor; Kelsch, R.; Maragos; Nicholas; Thorpe; Weisz

Engrossed SB 2275 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 67 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bernstein; Boucher; Brusegaard; Conrad; Delmore; Ekstrom; Guleson; Hunskor; Kelsh, S.; Kerzman; Klemin; Meyer, S.; Onstad; Owens; Sandvig; Schmidt; Solberg; Williams; Zaiser

NAYS: Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kempenich; Kingsbury; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglen; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

ABSENT AND NOT VOTING: Herbel; Kaldor; Kelsch, R.; Maragos; Nicholas; Thorpe

SB 2314 lost.

SECOND READING OF SENATE BILL

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.

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; 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; Guleson; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; 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; Svedjan; Thoreson; Timm; Uglen; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

ABSENT AND NOT VOTING: Herbel; Kaldor; Kelsch, R.; Maragos; Nicholas; Thorpe; Zaiser

SB 2354 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

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 82 YEAS, 6 NAYS, 0 EXCUSED, 6 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; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Porter; Potter; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

NAYS: Bellew; Galvin; Kretschmar; Pollert; Price; Ruby

ABSENT AND NOT VOTING: Herbel; Kaldor; Kelsch, R.; Maragos; Nicholas; Thorpe

SB 2363 passed and the title was agreed to.

MOTION

REP. MONSON MOVED that SCR 4013, which is on the Tenth order, be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, SCR 4013 was rereferred.

MOTION

REP. MONSON MOVED that they suspend the rules HCR 3044 and HCR 3052 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3044: A concurrent resolution directing the Legislative Council to study the filling of vacancies in the Legislative Assembly.

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3044 was declared lost on a verification vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3052: A concurrent resolution directing the Legislative Council to study and compare the delivery of elementary and secondary education to students in contiguous school districts.

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3052 was declared lost on a verification vote.

MOTION

REP. MONSON MOVED that they suspend the rules and place SB 2257 on the Fourteenth order for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

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.

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 61 YEAS, 27 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Charging; Clark; Conrad; DeKrey; Delmore; Dietrich; Ekstrom; Froelich; Glassheim; Gulleson; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Onstad; Owens; Pietsch; Porter; Potter; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Timm; Uglem; Vigesaa; Wall; Wieland; Williams; Zaiser; Speaker Klein

NAYS: Bellew; Belter; Brandenburg; Carlisle; Carlson; Damschen; Delzer; Devlin; Dosch; Drovdal; Froseth; Galvin; Grande; Iverson; Kasper; Kempenich; Nottestad; Pollert; Price; Rennerfeldt; Ruby; Skarphol; Thoreson; Wald; Weiler; Weisz; Wrangham

ABSENT AND NOT VOTING: Herbel; Kaldor; Kelsch, R.; Maragos; Nicholas; Thorpe

SB 2257 passed and the title was agreed to.

**SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT
CALENDAR**

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.

SCR 4024: A concurrent resolution urging Congress and the Secretary of the United States Department of the Interior to provide funding for United Tribes Technical College.

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

SCR 4019 and SCR 4024 were declared adopted on a voice vote, and the titles were agreed to.

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2094.

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

MR. PRESIDENT: The House has failed to pass: SB 2042.

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

MR. PRESIDENT: The House has passed unchanged: SB 2404.

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

MR. PRESIDENT: The House has amended and passed: SB 2174, SB 2194, SB 2211, SB 2231.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1032, HB 1046, HB 1054, HB 1095, HB 1110, HB 1208, HB 1243, HB 1281, HCR 3045.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 10, 2005: HB 1096, HB 1145, HB 1217, HB 1253, HB 1287, HB 1288, HB 1315, HB 1474.

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

MR. SPEAKER: The Senate has passed, the emergency clause failed, unchanged: HB 1048.

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

MR. SPEAKER: The Senate has failed to pass: HB 1488.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1112, HB 1113, HB 1142, HB 1198, HB 1202, HB 1233, HB 1260, HCR 3001, HCR 3022.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2061, SB 2079, SB 2113, SB 2163, and SB 2182.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2078 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2078: Sens. Flakoll; G. Lee; Seymour

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Thirteenth, and Fourteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:00 p.m., Friday, March 11, 2005, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1523: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1523 was placed on the Sixth order on the calendar.

Page 2, line 6, after "records" insert "and to allow the committee members and workforce safety insurance representatives to discuss the records in an interim committee hearing"

Page 2, line 9, after "confidential" insert ", however, pursuant to the constituent's authorization, information contained in the records may be discussed by the committee members and workforce safety and insurance representatives in an interim committee hearing"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2028, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2028 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2050: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2050 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "September 30" and overstrike ", 2005" and insert immediately thereafter "July 1, 2006"

Page 1, line 12, remove "September 30" and overstrike ", 2005" and insert immediately thereafter "July 1, 2006"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2059, as engrossed: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2059 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "an effective date" with "for retroactive application"

Page 3, replace line 3 with:

"SECTION 2. RETROACTIVE APPLICATION. This Act is retroactive in application to January 1, 2005."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2073, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2073 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subsection to section 43-48-03 of the North Dakota Century Code, relating to exemptions from clinical laboratory personnel licensures; and to"

Page 1, line 6, remove the overstrike over "~~Phlebotomy personnel performing phlebotomy procedures~~"

Page 1, line 7, remove "An individual supervised by an individual licensed by the board and"

Page 1, line 8, remove "performing tests and using methods identified by rule adopted by the board"

Page 1, after line 8, insert:

"SECTION 2. A new subsection to section 43-48-03 of the North Dakota Century Code is created and enacted as follows:

An individual supervised by an individual who is licensed by the board and who performs tests and uses methods identified by rules adopted by the board."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2112: Transportation Committee (Rep. Weisz, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). SB 2112 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2157, as reengrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2157 was placed on the Sixth order on the calendar.

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

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

Page 7, line 14, replace "2006" with "2004, for ad valorem property taxes and for taxable years beginning after December 31, 2005, for mobile home taxes"

Page 7, after line 14, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2181, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2181 was placed on the Sixth order on the calendar.

Page 1, line 8, after "and" insert "the clerk of court shall file a copy of the affidavit for renewal" and replace "in which" with "as requested by"

Page 1, line 9, remove "wishes to renew the judgment"

Page 1, line 11, after "and" insert "the clerk of court shall file a copy of the affidavit for renewal" and replace "in which" with "as requested by"

Page 1, line 12, remove "wishes to renew the judgment"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2183, as engrossed: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2183 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2246, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2246 was placed on the Sixth order on the calendar.

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

Page 1, after line 19, insert:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2298, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2298 was placed on the Sixth order on the calendar.

Page 1, line 5, remove "1."

Page 1, line 6, after "donation" insert "through the national marrow donor program. The department shall seek assistance from the national marrow donor program to establish a system to distribute materials, ensure that the materials are updated periodically, and address the education and recruitment of minority populations" and remove "The department shall implement a"

Page 1, remove lines 7 through 16

Page 1, line 18, remove "paid"

Page 1, line 22, remove "If there is a medical determination that the employee does not qualify as an"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 and 2

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2323, as reengrossed: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2323 was placed on the Sixth order on the calendar.

Page 1, line 19, remove "provided, however, that the royalty payments to the state under this"

Page 1, remove line 20

Page 1, line 21, after "d." insert "Conduct all research funded by the grant at a public or private institution or facility located in this state; and

e."

Page 2, remove lines 1 through 5

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2325, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2325 was placed on the Sixth order on the calendar.

Page 1, line 21, replace "an infraction" with "a class A misdemeanor"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2353, as engrossed: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2353 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "thirty" with "thirty-six"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2359: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2359 was placed on the Sixth order on the calendar.

Page 1, line 4, after "agreements" insert "; and to provide an effective date"

Page 2, after line 3, insert:

"SECTION 4. EFFECTIVE DATE. This Act is effective for taxable events occurring after June 30, 2006."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2362: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2362 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "called or ordered to" and insert immediately thereafter "mobilized under"

Page 1, line 22, overstrike "called or ordered to" and insert immediately thereafter "mobilized under"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2370, as engrossed: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2370 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2374, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2374 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2383, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2383 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2392, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2392 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2393, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2393 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "study" with "consider studying"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4021: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4021 was placed on the Sixth order on the calendar.

Page 1, line 18, after the semicolon insert "and

WHEREAS, a recent ruling by the United States Department of the Treasury's Office of Foreign Assets Control requiring payment for United States agricultural exports in advance of shipment to Cuba threatens to jeopardize accords and terminate agricultural trade with Cuba;"

Renumber accordingly

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

Bradley C. Fay, Chief Clerk