

JOURNAL OF THE HOUSE

Sixty-first Legislative Assembly

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Bismarck, February 4, 2009

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

The prayer was offered by Chaplain Dave Vaughn, North Dakota State Penitentiary, Bismarck.

The roll was called and all members were present except Representatives R. Kelsch and Nathe.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER MONSON DEEMED approval of the amendments to HB 1184, HB 1288, HB 1309, and HB 1408.

HB 1184, HB 1288, HB 1309, and HB 1408, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4011: A concurrent resolution declaring Friday, February 6, 2009, "National Wear Red Day" in North Dakota and encouraging all citizens to wear red to raise awareness of cardiovascular disease.

Was read the first time.

MOTION

REP. VIGESAA MOVED that the rules be suspended, that SCR 4011 not be referred to committee, but be read in its entirety, be printed in the Journal and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Sens. J. Lee, Bakke, Bowman and Reps. Grande, Nelson, Potter introduced:

SENATE CONCURRENT RESOLUTION NO. 4011

A concurrent resolution declaring Friday, February 6, 2009, "National Wear Red Day" in North Dakota and encouraging all citizens to wear red to raise awareness of cardiovascular disease.

WHEREAS, diseases of the heart are the nation's leading cause of death and stroke is the third leading cause of death; and

WHEREAS, in 2008 the direct and indirect cost of cardiovascular diseases in the United States, including stroke, is estimated to be \$475.3 billion; and

WHEREAS, each year, 53 percent of all deaths due to cardiovascular disease and 61 percent of stroke deaths occur in females; and

WHEREAS, more women die of heart disease, stroke, and all other cardiovascular diseases than the next five leading causes of death combined, including all cancers; and

WHEREAS, Go Red For Women is the American Heart Association's national call to increase awareness about heart disease--the leading cause of death for women--and to inspire women to take charge of their heart health; and

WHEREAS, in 2006 the Dakota Medical Foundation and the American Heart Association launched a multiyear \$1.25 million Go Red North Dakota Initiative; and

WHEREAS, over 10,000 North Dakota women have joined the Go Red movement; and

WHEREAS, while nationally only 21 percent of women consider cardiovascular disease their greatest health risk, the Go Red North Dakota Initiative resulted in 88.7 percent of North Dakota women recognizing heart disease as the leading cause of death; and

WHEREAS, all women should learn their own personal risk for heart disease, using tools such as the American Heart Association's Go Red For Women Heart CheckUp and by talking to their health care providers; and

WHEREAS, making the right choices relating to proper nutrition, physical activity, doctor visits, and other lifestyle methods is essential to living a heart healthy life;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Sixty-first Legislative Assembly, in recognition of the importance of the ongoing fight against heart disease and stroke, commends the North Dakota communities, worksites, and statewide ambassadors who have joined the Dakota Medical Foundation and American Heart Association Go Red North Dakota Initiative; and

BE IT FURTHER RESOLVED, that the Sixty-first legislative assembly declares Friday, February 6, 2009, "National Wear Red Day" in North Dakota and urges all citizens to show their support for women and the fight against heart disease by commemorating this day by wearing the color red to increase awareness and to empower women to reduce their risk for cardiovascular disease; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Governor, the Dakota Medical Foundation, the American Heart Association, and each member of the North Dakota Congressional Delegation.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4011: A concurrent resolution declaring Friday, February 6, 2009, "National Wear Red Day" in North Dakota and encouraging all citizens to wear red to raise awareness of cardiovascular disease.

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

SCR 4011 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILL

HB 1401: A BILL for an Act to create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to limitations on the valuation of residential and commercial property as determined by the sales and market study.

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 67 YEAS, 27 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovda; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Meyer, S.; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pollert; Porter; Ruby; Rust; Schatz; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Monson

NAYS: Amerman; Boe; Boucher; Conrad; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Holman; Hunskor; Kaldor; Kelsh, J.; Kelsh, S.; Kroeber; Metcalf; Mock; Mueller; Myxter; Pinkerton; Potter; Schmidt; Thorpe; Vig; Winrich; Wolf

HB 1401 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1411: A BILL for an Act to amend and reenact subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to individual income tax deductions for certain retirement benefits; 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 47 YEAS, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Boucher; Conrad; Delmore; Ekstrom; Frantsvog; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Holman; Hunskor; Kaldor; Karls; Kasper; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Nottestad; Onstad; Pinkerton; Potter; Ruby; Schatz; Schmidt; Schneider; Sukut; Thoreson; Thorpe; Vig; Williams; Winrich; Wolf; Zaiser

NAYS: Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovda; Froseth; Grande; Hawken; Heller; Hofstad; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klemin; Koppelman; Kreidt; Kretschmar; Myxter; Nathe; Nelson; Pietsch; Pollert; Porter; Rust; Skarphol; Svedjan; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Monson

HB 1411 lost.

CONFLICT OF INTEREST

REP. MARTINSON STATED that he had a conflict of interest on HB 1331. Also reporting a conflict of interest were Reps. Belter, Metcalf, Brandenburg and DeKrey.

MOTION

REP. CARLSON MOVED that Reps. Martinson, Belter, Metcalf, Brandenburg, DeKrey and any others receiving military pension be allowed to vote on HB 1331.

SECOND READING OF HOUSE BILL

HB 1331: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax deduction for retired military personnel pay; to amend and reenact subdivision k of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to an income tax deduction for retired military personnel pay; 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 43 YEAS, 50 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Boucher; Conklin; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Holman; Hunskor; Kaldor; Kasper; Kelsh, J.; Kerzman; Kilichowski; Klein; Koppelman; Kretschmar; Kroeber; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Nottestad; Onstad; Pinkerton; Potter; Ruby; Schatz; Schmidt; Schneider; Thoreson; Thorpe; Vig; Williams; Winrich; Wolf; Zaiser

NAYS: Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, S.; Kempenich; Kingsbury; Klemin; Kreidt; Martinson; Myxter; Nathe; Nelson; Pietsch; Pollert; Porter; Rust; Skarphol; Sukut; Svedjan; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

HB 1331 lost.

SECOND READING OF HOUSE BILL

HB 1246: 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.

ROLL CALL

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

YEAS: Amerman; Bellew; Boe; Boucher; Conklin; Conrad; DeKrey; Ekstrom; Frantsvog; Froelich; Froseth; Heller; Kelsh, J.; Kempenich; Kerzman; Kilichowski; Klein; Meyer, S.; Mock; Pinkerton; Potter; Ruby; Thorpe; Vig; Weisz; Williams; Wolf; Zaiser

NAYS: Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; Delmore; Delzer; Dosch; Drovdal; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pollert; Porter; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Winrich; Wrangham; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

HB 1246 lost.

SECOND READING OF HOUSE BILL

HB 1216: 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.

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 53 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boucher; Brandenburg; Conklin; Conrad; DeKrey; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Griffin; Hatlestad; Hawken; Heller; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, J.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Kretschmar; Meyer, S.; Mock; Mueller; Nelson; Nottestad; Onstad; Pinkerton; Ruby; Rust; Schmidt; Schneider; Skarphol; Sukut; Thorpe; Uglem; Vig; Wald; Wall; Weisz; Williams; Wolf; Wrangham; Zaiser

NAYS: Bellew; Belter; Berg; Boehning; Carlson; Clark; Dahl; Damschen; Delmore; Delzer; Dosch; Glassheim; Grande; Gruchalla; Hanson; Headland; Holman; Karls; Kelsh, S.; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier, L.; Metcalf; Myxter; Nathe; Pietsch; Pollert; Porter; Potter; Schatz; Svedjan; Thoreson; Vigesaa; Weiler; Wieland; Winrich; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

HB 1216 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1237: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to allowing correctional officers to carry weapons in certain circumstances; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

Engrossed HB 1237 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1272: A BILL for an Act to amend and reenact sections 12.1-20-02, 12.1-20-03, and 12.1-20-04 of the North Dakota Century Code, relating to a sexual act or conduct through coercion.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.;

Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

Engrossed HB 1272 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1280: A BILL for an Act to require a legislative council study of application by administrative agencies of standards from other than state or federal law which have not been adopted as administrative rules.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

Engrossed HB 1280 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1296: A BILL for an Act to amend and reenact subsection 1 of section 27-08.1-01 and section 27-08.1-03 of the North Dakota Century Code, relating to limits on small claims court actions.

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

YEAS: Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Boe; Koppelman; Kretschmar; Nelson

ABSENT AND NOT VOTING: Kelsch, R.

Engrossed HB 1296 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1298: A BILL for an Act to create and enact subsection 4 to section 10-19.1-124, subsection 4 to section 10-32-128, subsection 4 to section 10-33-115, chapter 10-36, and a new subsection to section 45-11-08.2 of the North Dakota Century Code, relating to limited liability companies, nonprofit corporations, nonprofit limited liability companies, and partnership fictitious names; to amend and reenact section 10-01.1-06, subsection 3 of section 10-15-36, sections 10-19.1-01 and 10-19.1-10, subsection 1 of section 10-19.1-43, section 10-19.1-46, subsection 1 of section 10-19.1-48, subsection 2 of section 10-19.1-51, subsection 1 of section 10-19.1-75, section 10-19.1-76.2, subsection 6 of section 10-19.1-87, subsection 1 of section 10-19.1-91, sections 10-19.1-105, 10-19.1-107, and 10-19.1-146, subsection 5 of section 10-19.1-148, sections 10-32-02, 10-32-04, and 10-32-06, subsection 1 of section 10-32-10, section 10-32-18, subsection 2 of section 10-32-43, section 10-32-48, subsection 1 of section 10-32-80, subsection 1 of section 10-32-85, subsection 2 of section 10-32-87, subsection 1 of section 10-32-99, subsection 4 of section 10-32-107, subsection 1 of section 10-32-109, sections 10-32-110 and 10-32-111, subsection 3 of section 10-32-149, subsection 5 of section 10-32-152, section 10-33-01, subsection 1 of section 10-33-39, subsection 1 of section 10-33-44, subsection 2 of section 10-33-46, subsection 1 of section 10-33-84, subsection 3 of section 10-33-139, subsection 5 of section 10-33-141, section 38-08.1-03, subsections 27 and 28 of section 45-10.2-02, section 45-10.2-21, subsection 3 of section 45-10.2-41, section 45-10.2-64, subsection 5 of section 45-10.2-111, subsections 17 and 18 of section 45-13-01, subsections 15 and 16 of section 45-22-01, subsection 3 of section 45-22-03, subsection 5 of section 45-22-23, and subsections 18 and 19 of section 45-23-01 of the North Dakota Century Code, relating to commercial registered agent listing, cooperative associations, business corporations, limited liability companies, nonprofit corporations, geophysical exploration companies, limited partnerships, general partnerships, limited liability partnerships, and limited liability 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

Engrossed HB 1298 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1303: A BILL for an Act to amend and reenact section 50-24.4-06 of the North Dakota Century Code, relating to factors considered in determining nursing home rates.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

Engrossed HB 1303 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1307: A BILL for an Act to amend and reenact section 50-24.4-07 of the North Dakota Century Code, relating to nonallowable costs in nursing home ratesetting.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

Engrossed HB 1307 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1364: A BILL for an Act to create and enact a new section to chapter 47-04 of the North Dakota Century Code, relating to covenants and other restrictions regarding small businesses.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

Engrossed HB 1364 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1387: A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to the authorization of installation of fixtures on a rental property; 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 60 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Frantsvog; Froseth; Griffin; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Nathe; Nelson; Onstad; Pietsch; Pollert; Porter; Ruby; Schneider; Svedjan; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf

NAYS: Bellew; Boe; Boucher; Delzer; Drovdal; Ekstrom; Froelich; Glassheim; Grande; Gruchalla; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kroeber; Myxter; Nottestad; Pinkerton; Potter; Rust; Schatz; Schmidt; Skarphol; Sukut; Thoreson; Thorpe; Wall; Winrich; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kelsch, R.

Engrossed HB 1387 passed and the title was agreed to.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1029, HB 1194, HB 1229, HB 1273, HB 1302, HB 1311, HB 1346, HB 1530, HB 1566.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1308, HB 1487.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed unchanged: SCR 4011.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2069, SB 2141, SB 2250, SB 2251, SB 2254, SB 2256, SB 2261, SB 2279, SB 2295, SB 2299, SB 2309, SB 2313, SB 2349, SB 2352, SB 2354.

MOTION

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

MOTION

REP. VIGESAA 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., Thursday, February 5, 2009, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1043: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1043 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1044: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1044 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "; to provide for a pilot project; and to provide an appropriation"

Page 2, remove lines 10 through 22

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1085: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1085 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1088: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1088 was placed on the Sixth order on the calendar.

Page 1, line 7, after "1." insert "a."

Page 2, replace lines 3 through 25 with:

- "b. The commissioner shall disclose state tax return information pursuant to an order or subpoena issued by a court of competent jurisdiction upon application by a local, state, or federal law enforcement official if the court determines on the basis of the facts submitted by the applicant that:
- (1) There is reasonable cause to believe, based upon information believed to be reliable, that a specific criminal act has been committed;
 - (2) There is reasonable cause to believe that the return or return information is or may be relevant to a matter relating to the commission of such act;
 - (3) The return or return information is sought exclusively for use in a criminal investigation or proceeding concerning such act; and
 - (4) The information sought to be disclosed cannot reasonably be obtained under the circumstances, from another source.
- c. The application provided for under subdivision b must be served on the tax commissioner and a hearing on the application must be held no later than ten days from the date the tax commissioner received the application. The tax commissioner may appear at the hearing and provide the court information relating to the information contained on the return, and whether the application meets paragraphs 1 through 4 of subdivision b.
- d."

Page 3, line 15, after "1." insert "a."

Page 3, line 22 , replace "Except as provided in this section, returns and return information are" with:

- "b. The commissioner shall disclose state tax return information pursuant to an order or subpoena issued by a court of competent jurisdiction upon application by a local, state, or federal law enforcement official if the court determines on the basis of the facts submitted by the applicant that:
- (1) There is reasonable cause to believe, based upon information believed to be reliable, that a specific criminal act has been committed;
 - (2) There is reasonable cause to believe that the return or return information is or may be relevant to a matter relating to the commission of such act;
 - (3) The return or return information is sought exclusively for use in a criminal investigation or proceeding concerning such act; and
 - (4) The information sought to be disclosed cannot reasonably be obtained under the circumstances, from another source.
- c. The application provided for under subdivision b must be served on the tax commissioner and a hearing on the application must be held no later than ten days from the date the tax commissioner received the application. The tax commissioner may appear at the hearing and provide the court information relating to the information contained on the return, and whether the application meets paragraphs 1 through 4 of subdivision b.
- d."

Page 3, remove lines 23 through 31

Page 4, remove lines 1 through 13

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1090: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1090 was placed on the Sixth order on the calendar.

Page 1, line 8, after the first "program" insert "including a postsecondary education program in the pursuit of a one-year, two-year, or four-year degree"

Page 4, line 1, after "2." insert "Child care assistance may be paid for up to two years for an eligible caretaker who is attending a postsecondary education program in pursuit of a one-year, two-year, or four-year degree or certificate."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1110: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1110 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 chapter to title 36 of the North Dakota Century Code, relating to feral swine; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Definitions. As used in this chapter:

1. "Board" means the state board of animal health.
2. "Feral swine" means a hog, boar, or pig that:
 - a. Appears to be untamed or undomesticated;
 - b. Appears to have reverted from a domesticated to a wild state; and
 - c. Is freeroaming.

Board - Authority. The board is responsible for the control and eradication of feral swine on state lands and on private lands in this state.

Prohibited actions.

1. A person may not import, transport, or possess live feral swine.
2. A person may not intentionally, knowingly, or negligently allow swine to live in a feral state.
3. a. A person may not:
 - (1) Hunt or trap feral swine;
 - (2) Sponsor or promote the hunting or trapping of feral swine;
 - (3) Assist in the hunting or trapping of feral swine;
 - (4) Profit from the release of feral swine; or

(5) Profit from the hunting or trapping of feral swine.

- b. Paragraphs 1 through 3 of subdivision a do not apply to a state or federal agency or any person authorized by a state or federal agency to engage in the control or eradication of feral swine.

Presence of feral swine - Notification of board - Immediate threat.

1. Any person having reason to believe that feral swine are present on property owned by or legally occupied by that person shall notify the board and cooperate with the board in controlling or eradicating the feral swine.
2. a. Notwithstanding any other provisions of this chapter, if a person encounters a feral swine on property owned by or legally occupied by that person and determines that the feral swine poses a threat of harm or destruction of property, the person may immediately eradicate the feral swine.
- b. Any person eradicating a swine under this subsection shall notify the board as soon as practicable, but in no event later than twenty-four hours after the time of the eradication. The person shall follow any instructions given by the board with respect to the handling of the carcass, preservation of the carcass for testing, and disposal of the carcass.

Penalty. Any person violating this section is subject to:

1. A civil penalty in an amount not exceeding five hundred dollars per violation; and
2. A claim for the actual costs of control or eradication incurred by any state or federal government agency as a result of the person's violation."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1145: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1145 was placed on the Sixth order on the calendar.

Page 5, line 18, overstrike "must" and insert immediately thereafter "may"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1160: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1160 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1172: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1172 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1186: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1186 was placed on the Sixth order on the calendar.

Page 1, line 15, remove "possesses or"

Page 1, line 16, after "denuded" insert "human"

Page 1, line 17, replace "12.1-27-03.1" with "12.1-27.1-03.1" and after "individual's" insert "written"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1190: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (6 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1190 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1207: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1207 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 6-08.1-02 and a new section to chapter 27-13 of the North Dakota Century Code, relating to an exemption to bank confidentiality requirements for attorney trust account overdrafts and to the conduct of attorneys.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 6-08.1-02 of the North Dakota Century Code is created and enacted as follows:

A disclosure made to the disciplinary board of the North Dakota supreme court or another state's authority with responsibility for enforcing rules of professional conduct for lawyers regarding dishonor of an instrument issued against any trust account maintained by an attorney or law firm, as these terms are defined in section 6-08-16.2.

SECTION 2. A new section to chapter 27-13 of the North Dakota Century Code is created and enacted as follows:

Attorney for attorney fiduciary required. An attorney who serves as a fiduciary of an estate, trust, or conservatorship must be represented by another attorney. The attorney who serves as fiduciary or the attorney's law firm may not serve as attorney for the fiduciary."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1215: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1215 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 23-27 of the North Dakota Century Code, relating to influenza vaccinations administered by emergency medical technicians-paramedics; and to"

Page 1, line 2, replace "immunizations administered by" with "supervision of"

Page 1, line 8, overstrike "and who are working in a nonemergency setting"

Page 1, line 9, remove "and may"

Page 1, line 10, remove "administer influenza vaccinations"

Page 1, after line 11 insert:

"SECTION 2. A new section to chapter 23-27 of the North Dakota Century Code is created and enacted as follows:

Administration of influenza vaccination.

1. A licensed emergency medical technician-paramedic working for a hospital or an emergency medical services operation may administer the influenza vaccine to an individual who is at least eighteen years of age if:

a. The physician providing oversight for the emergency medical services operation or the hospital medical director has established protocols

that meet department standards that may be based on the advisory committee on immunization practices of the federal centers for disease control and prevention; and

- b. The emergency medical technician-paramedic has satisfactorily completed a department-approved course on administering vaccines.
2. If a hospital or emergency medical services operation allows the administration of vaccines under this section, the hospital or emergency medical services operation shall maintain records documenting the emergency medical technician-paramedic's completion of the training required under subsection 1. These records are subject to review by the department."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1231: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE REFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1231 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1241: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1241 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1247: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1247 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1253: Industry, Business and Labor Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1253 was placed on the Sixth order on the calendar.

Page 1, line 13, remove "is first"

Page 1, line 21, remove "The check or check detail must identify the oil and gas"

Page 1, line 22, remove "royalties and interest accrued by month."

Page 2, line 3, overstrike "the" and insert immediately thereafter "if the operator withholds royalty payments due to a dispute of title, the operator shall notify the royalty owner of the title issue and the reason for withholding royalty payments. The"

Page 2, line 4, remove "notify royalty owners immediately of any dispute of title, explain the title issue to"

Page 2, line 5, remove "the royalty owners, and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1334: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (9 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1334 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1336: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1336 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 1 of section 29-06-15 of the North Dakota Century Code, relating to an arrest without a warrant; to repeal section 14-07.1-13 of the North Dakota Century Code, relating to an order prohibiting contact;"

Page 1, line 7, replace "involving a violation of" with "of violence or threat of violence, stalking, harassment, or a sex offense"

Page 1, line 8, remove "chapter 12.1-17 or 12.1-20"

Page 1, line 14, replace the first "court" with "state's attorney"

Page 2, after line 18, insert:

"SECTION 2. AMENDMENT. Subsection 1 of section 29-06-15 of the North Dakota Century Code is amended and reenacted as follows:

1. A law enforcement officer, without a warrant, may arrest a person:
 - a. For a public offense, committed or attempted in the officer's presence and for the purpose of this subdivision, a crime must be deemed committed or attempted in the officer's presence when what the officer observes through the officer's senses reasonably indicates to the officer that a crime was in fact committed or attempted in the officer's presence by the person arrested.
 - b. When the person arrested has committed a felony, although not in the officer's presence.
 - c. When a felony in fact has been committed, and the officer has reasonable cause to believe the person arrested to have committed it.
 - d. On a charge, made upon reasonable cause, of the commission of a felony by the party arrested.
 - e. For the public offenses, not classified as felonies and not committed in the officer's presence as provided for under section 29-06-15.1.
 - f. On a charge, made upon reasonable cause, of driving or being in actual physical control of a vehicle while under the influence of alcoholic beverages.
 - g. For the offense of violating a protection order under section 14-07.1-06, an order prohibiting contact under section ~~14-07.1-13~~ 1 of this Act, or for an assault involving domestic violence under section 14-07.1-11.
 - h. On a charge, made upon reasonable cause, of being under the influence of volatile chemical vapors in violation of section 19-03.1-22.1.

SECTION 3. REPEAL. Section 14-07.1-13 of the North Dakota Century Code is repealed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1372: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1372 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1374: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1374 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1410: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1410 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1437: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1437 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1448: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1448 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1475: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1475 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1500: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1500 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1512: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1512 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1524: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1524 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1531: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1531 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1542: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1542 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1547: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1547 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3013: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3013 was placed on the Tenth order on the calendar.

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

Buell J. Reich, Chief Clerk

