

JOURNAL OF THE HOUSE

Sixty-second Legislative Assembly

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Bismarck, January 19, 2011

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

The prayer was offered by Kari Bitz, Cord of Three Ministry, Bismarck.

The roll was called and all members were present except Representatives Boe and M. Nelson.

A quorum was declared by the Speaker.

ANNOUNCEMENT

SPEAKER DROVDAL ANNOUNCED that the House did not convene on Tuesday, January 18, 2011, due to technical problems with utility service to the State Capitol.

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 Eighth and Tenth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 137, line 19, replace "**SPEAKER DROVDAL**" with "**ACTING SPEAKER MONSON**"

Page 159, line 25, replace "passed" with "failed"

Page 173, line 14, replace "D. Johnson, Kasper" with "Kasper, D. Johnson"

Page 180, line 21, replace "Rep. Koppelman" with "Reps. Koppelman, Hunskor, Kingsbury and Sens. Miller, Robinson, Sorvaag"

Page 183, line 16, replace "an new" with "a new"

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

SIXTH ORDER OF BUSINESS

SPEAKER DROVDAL DEEMED approval of the amendments to HB 1073, HB 1082, HB 1088, HB 1097, HB 1098, HB 1099, HB 1103, and HB 1116.

HB 1073, HB 1082, HB 1088, HB 1097, HB 1098, HB 1099, HB 1103, and HB 1116, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. D. JOHNSON MOVED that HB 1172 be returned to the House floor from the **Agriculture Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. KEISER REQUESTED the unanimous consent of the House to withdraw HB 1172. There being no objection, it was so ordered by the Speaker.

MOTION

REP. VIGESAA MOVED that HB 1071, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

MOTION

REP. VIGESAA MOVED that Joint Rule 203 be reconsidered, be amended temporarily, replacing "thirty-ninth legislative day" with "thirty-eighth legislative day", and that the Senate be notified of the action with respect to Joint Rule 203, which motion prevailed.

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

MR. PRESIDENT: The House has reconsidered and temporarily amended Joint Rule 203, replacing "thirty-ninth legislative day" with "thirty-eighth legislative day".

SECOND READING OF HOUSE BILL

HB 1081: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and section 43-06-11.1 of the North Dakota Century Code, relating to criminal history record checks for chiropractors.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

HB 1081 passed.

SECOND READING OF HOUSE BILL

HB 1094: A BILL for an Act to amend and reenact subsection 1 of section 15.1-13-33 of the North Dakota Century Code, relating to investment of special funds in the state treasury for the purpose of funding grants for teachers to pursue national board certification.

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; Froseth; Grande; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nathe; Nelson, J.; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Speaker Drovda

NAYS: Conklin; Delmore; Glassheim; Gruchalla; Kaldor; Kroeber; Meyer, S.; Mock; Onstad; Zaiser

ABSENT AND NOT VOTING: Boe; Nelson, M.

HB 1094 passed.

SECOND READING OF HOUSE BILL

HB 1145: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota

Century Code, relating to political subdivision reports in lieu of audits.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

HB 1145 passed.

SECOND READING OF HOUSE BILL

HB 1153: A BILL for an Act to amend and reenact subsection 5 of section 57-40.3-04 of the North Dakota Century Code, relating to exemptions from motor vehicle excise tax.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

HB 1153 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3005: A concurrent resolution recognizing the 25th anniversary of the formation of North Dakota's sister state relationship with the Province of Taiwan, Republic of China.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad;

Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

HCR 3005 was declared adopted on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1026: A BILL for an Act to amend and reenact section 28-32-02 of the North Dakota Century Code, relating to authority of administrative agencies to adopt an organizational rule.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

HB 1026 passed.

SECOND READING OF HOUSE BILL

HB 1045: A BILL for an Act to amend and reenact sections 57-40.6-01 and 57-40.6-10 of the North Dakota Century Code, relating to definitions and standards and guidelines for emergency services communication systems.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

Engrossed HB 1045 passed.

SECOND READING OF HOUSE BILL

HB 1053: A BILL for an Act to create and enact section 65-02-20.1 of the North Dakota Century Code, relating to workers' compensation benefits for generic drugs; to provide for a report; to provide for application; and to provide an expiration date.

ROLL CALL

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

YEAS: Bellew; Clark; Johnson, N.; Kreun; Owens; Ruby; Vigesaa

NAYS: Amerman; Anderson; Beadle; Belter; Boehning; Brabandt; Brandenburg; Carlson; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

Engrossed HB 1053 lost.

SECOND READING OF HOUSE BILL

HB 1131: A BILL for an Act to create and enact a new subsection to chapter 6-01-02 of the North Dakota Century Code, relating to the definition of market value; to amend and reenact subsection 2 of section 6-01-03, and sections 6-01-04.1 and 6-01-04.2, subsection 1 of section 6-01-04.3, and sections 6-06-06, 6-06-08.4, 6-06-10, 6-06-11, 6-06-14, and 6-06-36 of the North Dakota Century Code, relating to state credit union board member experience, clarification of regulated entities, civil money penalties, credit union board powers, prompt corrective actions relating to credit unions, use of electronic communications for credit union meetings, election or appointment of credit union committees, credit union supervision of loans, and credit union mergers; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

Engrossed HB 1131 passed.

SECOND READING OF HOUSE BILL

HB 1132: A BILL for an Act to amend and reenact sections 2-05-03, 2-05-04, 2-05-05, and 2-05-06.5, subsection 3 of section 2-05-11.1, and sections 2-05-11.3 and 57-43.3-06 of the North Dakota Century Code, relating to the powers and duties of the aeronautics commission and the distribution of aviation fuel tax revenue; to repeal sections 2-05-06.4, 2-05-08, 2-05-12, 2-05-15, 2-05-15.1, 2-05-16, and 2-05-17 of the North Dakota Century Code, relating to the powers and duties of the aeronautics commission; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

HB 1132 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1157: A BILL for an Act to create and enact a new subsection to section 57-40.5-03 of the North Dakota Century Code, relating to an exemption from aircraft excise tax for aircraft acquired by an aviation museum; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

HB 1157 passed.

SECOND READING OF HOUSE BILL

HB 1083: A BILL for an Act to amend and reenact subsection 1 of section 26.1-03.1-03 and subsection 1 of section 26.1-03.2-03 of the North Dakota Century Code, relating to the risk-based capital reports of insurance companies.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

HB 1083 passed.

SECOND READING OF HOUSE BILL

HB 1159: A BILL for an Act to amend and reenact section 23-01-05.2 of the North Dakota Century Code, relating to administration of epinephrine.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Boe; Nelson, M.

HB 1159 passed.

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 1028, HB 1054, HB 1079, HB 1085, HB 1093, HB 1104, HB 1105, HB 1107, HB 1110, HB 1113, HCR 3003.

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 1119.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2027, SB 2032, SB 2065, SB 2067, SB 2087, SB 2101, SB 2110, SB 2126, SB 2127.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2104.

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

MR. PRESIDENT: The Speaker has signed: HCR 3006.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on January 19, 2011: HCR 3006.

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

MR. SPEAKER: The Senate has reconsidered and temporarily amended Joint Rule 203, replacing "thirty-ninth legislative day" with "thirty-eighth legislative day".

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fifth and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, January 20, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1114: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1114 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections" with "section"

Page 1, line 1, remove ", 40-21-16.2, and 40-21-16.3"

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

Page 1, line 3, remove ", 40-09-07"

Page 1, line 4, after "elections" insert "; to repeal section 40-09-07 of the North Dakota Century Code, relating to the bond and oath of a city commissioner; and to declare an emergency"

Page 2, remove lines 13 through 23

Page 3, line 7, replace "The" with "For any city election not held in conjunction with a county election, the"

Page 3, remove lines 12 through 31

Page 4, replace lines 1 through 4 with:

"SECTION 5. REPEAL. Section 40-09-07 of the North Dakota Century Code is repealed.

SECTION 6. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1137: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1137 was placed on the

Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1161: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1161 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1179: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1179 was placed on the Sixth order on the calendar.

Page 2, line 13, replace "The" with "A"

Page 2, line 14, remove "maximum"

Page 2, line 14, remove "per horse"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1222: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1222 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1240: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1240 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1252: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1252 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1308: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1308 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk

