

JOURNAL OF THE HOUSE

Sixty-second Legislative Assembly

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Bismarck, February 15, 2011

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

The prayer was offered by Pastor Rebecca Aardahl, Missouri Slope Lutheran Care Center, Bismarck.

The roll was called and all members were present.

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 Twenty-ninth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 544, line 20, after "**HB 1191**" insert ", as engrossed"

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

SIXTH ORDER OF BUSINESS

SPEAKER DROVDAL DEEMED approval of the amendments to HB 1075, HB 1109, Engrossed HB 1152, Engrossed HB 1181, Engrossed HB 1191, HB 1206, HB 1209, HB 1217, HB 1241, HB 1251, HB 1259, HB 1261, HB 1290, HB 1316, HB 1349, HB 1381, HB 1393, HB 1397, HB 1406, HB 1407, HB 1414, HB 1454, and HB 1466.

HB 1075, HB 1109, Engrossed HB 1152, Engrossed HB 1181, Engrossed HB 1191, HB 1206, HB 1209, HB 1217, HB 1241, HB 1251, HB 1259, HB 1261, HB 1290, HB 1316, HB 1349, HB 1381, HB 1393, HB 1397, HB 1406, HB 1407, HB 1414, HB 1454, and HB 1466, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. VIGESAA MOVED that HB 1353 be returned to the House floor from the **Appropriations Committee** and be rereferred to the **Education Committee**, which motion prevailed.

Pursuant to Rep. Vigesaa's motion, HB 1353 was rereferred.

SECOND READING OF HOUSE BILL

HB 1289: A BILL for an Act to amend and reenact subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to reduction of income tax rates for individuals, estates, and trusts; and to provide an effective date.

ROLL CALL

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

YEAS: Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; Froseth; Grande; Gruchalla; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Meier, L.; Meyer, S.; Mock; Monson; Nathe; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Speaker Drovdal

NAYS: Amerman; Conklin; Delmore; Glassheim; Guggisberg; Hanson; Hawken; Hogan; Holman; Hunskor; Johnson, N.; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Metcalf; Mueller; Nelson, J.; Nelson, M.; Onstad; Pietsch; Williams; Winrich; Zaiser

ABSENT AND NOT VOTING: Wrangham

Engrossed HB 1289 passed.

MOTION

REP. VIGESAA MOVED that HB 1189 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1189: A BILL for an Act to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to corporate income tax rates; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 72 YEAS, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsovog; Froseth; Grande; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Meier, L.; Meyer, S.; Monson; 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; Wrangham; Speaker Drovda

NAYS: Amerman; Conklin; Delmore; Glassheim; Gruchalla; Guggisberg; Hanson; Hogan; Holman; Hunskor; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Metcalf; Mock; Mueller; Nelson, M.; Williams; Winrich; Zaiser

Engrossed HB 1189 passed.

SECOND READING OF HOUSE BILL

HB 1247: 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 individual income tax deduction for a portion of income from passthrough entities; to amend and reenact section 57-38-30 and subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to corporate and individual income tax rates; 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 13 YEAS, 81 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Boe; Glassheim; Kasper; Kempenich; Koppelman; Kroeber; Maragos; Mock; Nelson, M.; Ruby; Thoreson; Weiler

NAYS: Amerman; Anderson; Beadle; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsovog; Froseth; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kreun; Louser; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur;

Pietsch; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

HB 1247 lost.

SECOND READING OF HOUSE BILL

HB 1409: A BILL for an Act to amend and reenact sections 6-09-38, 10-33-124, and 11-37-08, subsection 1 of section 12.1-32-09, subsection 3 of section 25-04-16, sections 27-17-06, 37-27-06, and 37-28-07, subsection 8 of section 40-63-01, sections 40-63-02, 40-63-07, and 50-06.3-06, subsection 2 of section 52-06-30, subsection 1 of section 54-09-09, subsections 15 and 27 of section 57-02-08, and section 65-04-26 of the North Dakota Century Code, relating to elimination of individual and corporate income taxes and financial institutions taxes; to repeal sections 40-63-04, 40-63-06, 40-63-09, 40-63-10, and 52-02.1-03, chapters 57-35.3, 57-38, 57-38.1, 57-38.3, 57-38.4, 57-38.5, and 57-38.6, and section 57-59-02 of the North Dakota Century Code, relating to elimination of individual and corporate income taxes and financial institutions taxes; 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 16 YEAS, 78 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Boe; Boehning; Dosch; Kasper; Kempenich; Kilichowski; Maragos; Meyer, S.; Mock; Owens; Ruby; Schatz; Streyle; Thoreson; Weiler

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

HB 1409 lost.

SECOND READING OF HOUSE BILL

HB 1402: 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 individual income tax deduction for lower-income individuals; 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 35 YEAS, 59 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Beadle; Boe; Delmore; Glassheim; Gruchalla; Guggisberg; Hanson; Heilman; Hogan; Holman; Hunskor; Kaldor; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kroeber; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Nelson, M.; Onstad; Porter; Ruby; Schatz; Thoreson; Weiler; Williams; Winrich; Zaiser

NAYS: Anderson; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Keiser; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Monson; Nathe; Nelson, J.; Owens; Paur; Pietsch;

Pollert; Rohr; Rust; Sanford; Schmidt; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigesaa; Wall; Weisz; Wieland; Wrangham; Speaker Drovda

HB 1402 lost.

SECOND READING OF HOUSE BILL

HB 1437: A BILL for an Act to create and enact a new section to chapter 11-09.1 and a new section to chapter 40-05.1 of the North Dakota Century Code, relating to limitation of the rate of home rule sales, use, or excise taxes; to amend and reenact subsection 1 of section 57-39.2-02.1, subsection 1 of section 57-40.2-02.1, and sections 57-40.3-02 and 57-40.5-02 of the North Dakota Century Code, relating to reduction of the rate of sales, use, motor vehicle excise, and aircraft excise taxes; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 30 YEAS, 64 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Beadle; Bellew; Boehning; Delzer; Dosch; Gruchalla; Heilman; Holman; Kaldor; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Onstad; Porter; Schatz; Thoreson; Weiler; Weisz; Winrich; Wrangham; Zaiser

NAYS: Anderson; Belter; Boe; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Devlin; Frantsovog; Froseth; Glassheim; Grande; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kempenich; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Mock; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pietsch; Pollert; Rohr; Ruby; Rust; Sanford; Schmidt; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigesaa; Wall; Wieland; Williams; Speaker Drovda

Engrossed HB 1437 lost.

CONFLICT OF INTEREST

REP. BELTER STATED that he had a conflict of interest on HB 1178.

MOTION

REP. CARLSON MOVED that Rep. Belter and all other Representatives with a conflict of interest be allowed to vote on HB 1178, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1178: 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; 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 37 YEAS, 56 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Boe; Boehning; DeKrey; Delmore; Devlin; Glassheim; Gruchalla; Guggisberg; Hanson; Hogan; Holman; Hunskor; Kaldor; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Nathe; Nelson, M.; Onstad; Porter; Sanford; Schatz; Thoreson; Winrich; Zaiser

NAYS: Anderson; Beadle; Belter; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; Delzer; Dosch; Frantsovog; Froseth; Grande; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Johnson, D.; Karls; Keiser; Kempenich;

Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kreun; Louser; Meier, L.; Monson; Nelson, J.; Owens; Paur; Pietsch; Pollert; Rohr; Ruby; Rust; Schmidt; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Drovdal

ABSENT AND NOT VOTING: Johnson, N.

HB 1178 lost.

SECOND READING OF HOUSE BILL

HB 1184: 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 a volunteer emergency responder individual income tax deduction; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 32 YEAS, 62 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Boe; Conklin; Delmore; Glassheim; Gruchalla; Guggisberg; Hanson; Hawken; Hogan; Holman; Hunsakor; Kaldor; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Maragos; Metcalf; Meyer, S.; Mock; Mueller; Nathe; Nelson, M.; Onstad; Porter; Thoreson; Winrich; Zaiser

NAYS: Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Martinson; Meier, L.; Monson; Nelson, J.; Owens; Paur; Pietsch; Pollert; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Drovdal

HB 1184 lost.

CONFLICT OF INTEREST

REP. METCALF STATED that he had a conflict of interest on HB 1275.

MOTION

REP. CARLSON MOVED that Rep. Metcalf and all other Representatives with a conflict of interest be allowed to vote on HB 1275, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1275: A BILL for an Act to create and enact three new subdivisions to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax deduction for a portion of retirement benefits for firefighters, police, highway patrol officers, military personnel, and government employees; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 33 YEAS, 61 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Boe; Conklin; Delmore; Devlin; Frantsvog; Glassheim; Gruchalla; Guggisberg; Hanson; Holman; Hunsakor; Kaldor; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Klein; Kretschmar; Kroeber; Maragos; Metcalf; Meyer, S.; Mock; Mueller; Nelson, M.; Onstad; Owens; Porter; Steiner; Winrich; Zaiser

NAYS: Anderson; Beadle; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Froseth; Grande; Hatlestad; Hawken; Headland;

Heilman; Heller; Hofstad; Hogan; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kreun; Louser; Martinson; Meier, L.; Monson; Nathe; Nelson, J.; Paur; Pietsch; Pollert; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Drovdal

HB 1275 lost.

SECOND READING OF HOUSE BILL

HB 1356: 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 individual income tax deduction for higher education student loan repayment; 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 38 YEAS, 56 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Beadle; Boe; Dahl; DeKrey; Delmore; Devlin; Glassheim; Gruchalla; Guggisberg; Hatlestad; Hawken; Heilman; Hogan; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Maragos; Martinson; Meier, L.; Meyer, S.; Mock; Mueller; Nelson, M.; Onstad; Pietsch; Sanford; Thoreson; Winrich; Zaiser

NAYS: Anderson; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Damschen; Delzer; Dosch; Frantsvog; Froseth; Grande; Hanson; Headland; Heller; Hofstad; Johnson, D.; Keiser; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Metcalf; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Drovdal

HB 1356 lost.

CONFLICT OF INTEREST

REP. FROSETH STATED that he had a conflict of interest on HB 1390.

MOTION

REP. CARLSON MOVED that Rep. Froseth and all other Representatives with a conflict of interest be allowed to vote on HB 1390, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1390: 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 certain social security 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 31 YEAS, 63 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Boe; Delmore; Devlin; Glassheim; Gruchalla; Guggisberg; Hanson; Heilman; Hogan; Holman; Hunskor; Kaldor; Kasper; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Maragos; Metcalf; Meyer, S.; Mock; Mueller; Nelson, J.; Nelson, M.; Onstad; Thoreson; Winrich; Zaiser; Speaker Drovdal

NAYS: Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delzer; Dosch; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar;

Kreun; Louser; Martinson; Meier, L.; Monson; Nathe; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham

HB 1390 lost.

SECOND READING OF HOUSE BILL

HB 1400: 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 individual income tax deduction for the amount of property taxes against the individual's homestead; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 89 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Kaldor; Maragos; Onstad

NAYS: 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.; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; 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

Engrossed HB 1400 lost.

SECOND READING OF HOUSE BILL

HB 1268: A BILL for an Act to amend and reenact subsection 2 of section 57-51-15 of the of the North Dakota Century Code, relating to allocation between counties and the state general fund of oil and gas gross production tax revenues from production within the Fort Berthold Reservation; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; 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; 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.; Nelson, M.; 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; Boehning; Kasper

HB 1268 passed.

SECOND READING OF HOUSE BILL

HB 1198: A BILL for an Act to amend and reenact subsection 2 of section 57-51-15 of the North Dakota Century Code, relating to allocation to counties of a portion of the state's share of oil and gas gross production tax revenues from production within the Fort Berthold Reservation; to provide for retroactive application; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 58 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Conklin; Delmore; Frantsvog; Glassheim; Gruchalla; Guggisberg; Hanson; Hawken; Hogan; Holman; Hunsakor; Johnson, N.; Kaldor; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kroeber; Maragos; Martinson; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nelson, M.; Onstad; Porter; Steiner; Williams; Winrich; Zaiser

NAYS: Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Froseth; Grande; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Meier, L.; Nathe; Nelson, J.; Owens; Paur; Pietsch; Pollert; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Streyle; Sukut; Thoreson; Trotter; Vigasaa; Wall; Weiler; Weisz; Wieland

ABSENT AND NOT VOTING: Wrangham; Speaker Drovdal

HB 1198 lost.

SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to amend and reenact sections 57-51.1-01, 57-51.1-02, 57-51.1-03, and 57-51.1-03.1 of the North Dakota Century Code, relating to oil extraction tax rates and exemptions; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 76 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Boe; DeKrey; Holman; Hunsakor; Kaldor; Kasper; Maragos; Metcalf; Meyer, S.; Nelson, M.; Onstad; Ruby; Schatz; Thoreson; Weiler; Winrich; Zaiser

NAYS: Amerman; Anderson; Beadle; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Martinson; Meier, L.; Mock; Monson; Mueller; Nathe; Nelson, J.; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Rust; Sanford; Schmidt; Skarphol; Steiner; Streyle; Sukut; Trotter; Vigasaa; Wall; Weisz; Wieland; Williams; Wrangham; Speaker Drovdal

HB 1420 lost.

SECOND READING OF HOUSE BILL

HB 1467: A BILL for an Act to amend and reenact section 57-51.1-03 of the North Dakota Century Code, relating to a triggered oil extraction tax rate reduction; to provide an effective date; 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 PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; 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; Klemm; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; 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

Engrossed HB 1467 passed.

SECOND READING OF HOUSE BILL

HB 1345: A BILL for an Act to amend and reenact subdivision g of subsection 1 of section 57-02-08.1 of the North Dakota Century Code, relating to the valuation of a homestead eligible for the homestead credit; 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, 73 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Clark; Conklin; Delmore; Glassheim; Gruchalla; Guggisberg; Hanson; Hogan; Hunskor; Kaldor; Kelsh, J.; Kelsh, S.; Kroeber; Meyer, S.; Mock; Mueller; Onstad; Wieland; Winrich; Zaiser

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

HB 1345 lost.

MOTION

REP. VIGESAA MOVED that HB 1412 be moved to the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1272: A BILL for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to limitation of property tax increases; 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 12 YEAS, 82 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Beadle; Bellew; Clark; Heilman; Koppelman; Meier, L.; Owens; Rohr; Ruby; Schatz; Thoreson; Wrangham

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

HB 1272 lost.

SECOND READING OF HOUSE BILL

HB 1282: A BILL for an Act to amend and reenact subsection 15 of section 57-02-01 of the North Dakota Century Code, relating to determination of true and full value of property for property tax assessment purposes; 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 7 YEAS, 87 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Dosch; Kasper; Koppelman; Ruby; Thoreson; Weiler

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

HB 1282 lost.

SECOND READING OF HOUSE BILL

HB 1294: A BILL for an Act to amend and reenact sections 11-09.1-04 and 40-05.1-05 of the North Dakota Century Code, relating to prohibition of home rule counties and cities from superseding state laws relating to special assessments and property tax assessments, levy limitations, exemptions, credits, definitions, administration, or enforcement; and to provide an effective date.

ROLL CALL

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

YEAS: Bellew; Boe; Boehning; Brabandt; Clark; Delzer; Dosch; Kasper; Keiser; Kempenich; Koppelman; Louser; Meier, L.; Nathe; Nelson, M.; Owens; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Thoreson; Wrangham; Speaker Drovdal

NAYS: Amerman; Anderson; Beadle; Belter; Brandenburg; Carlson; Conklin; Dahl; Damschen; DeKrey; Delmore; Devlin; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kreun; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nelson, J.; Onstad; Paur; Pietsch; Rust; Sanford; Skarphol; Steiner; Streyle; Sukut; Trottier;

Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Zaiser

ABSENT AND NOT VOTING: Maragos

HB 1294 lost.

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 1057, HB 1123, HB 1320, HB 1334, HB 1338, HB 1365, HB 1433, HB 1456, HCR 3029.

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 1423.

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 2002, SB 2331, SCR 4003.

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 2001, SB 2022, SB 2308.

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Wednesday, February 16, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1155: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1155 was placed on the Sixth order on the calendar.

Page 1, line 15, remove "of political subdivisions"

Page 1, line 18, remove "of political subdivisions"

Page 1, line 23, remove "of political subdivisions"

Page 2, line 5, remove "of political subdivisions"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1220: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1220 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1224: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1224 was placed on the Sixth order on the calendar.

Page 1, line 1, after "12.1-31-01" insert "and a new section to chapter 12.1-31"

Page 1, line 2, after "conduct" insert "and surreptitious intrusion or interference with privacy; and to provide a penalty"

Page 1, after line 12, insert:

"**SECTION 2.** A new section to chapter 12.1-31 of the North Dakota Century Code is created and enacted as follows:

Surreptitious intrusion or interference with privacy.

1. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or interfere with the privacy of another, the individual:
 - a. Enters upon another's property and surreptitiously gazes, stares, or peeps into a house or place of dwelling of another; or
 - b. Enters upon another's property and surreptitiously installs or uses any device for observing, photographing, recording, amplifying, or broadcasting sounds or events from a house or place of dwelling of another.
2. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or interfere with the privacy of an occupant, the individual:
 - a. Surreptitiously gazes, stares, or peeps into a tanning booth, a sleeping room in a hotel, or other place where a reasonable individual would have an expectation of privacy; or
 - b. Surreptitiously installs or uses any device for observing, photographing, recording, amplifying, or broadcasting sounds or events from a tanning booth, a sleeping room in a hotel, or other place where a reasonable individual would have an expectation of privacy."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1249: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1249 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1269: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1269 was placed on the Sixth order on the calendar.

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

Page 1, line 4, after "records" insert "; to provide for application; and to provide for retroactive application"

Page 2, line 18, overstrike "mentally ill"

Page 2, line 18, after "person" insert "requiring treatment"

Page 3, line 25, remove "public"

Page 4, line 13, remove "mental health and substance abuse services division of the department of"

Page 4, line 14, replace "human services" with "treatment facility that treated the individual pursuant to court order"

Page 4, line 15, remove "mental health and"

Page 4, line 16, replace "substance abuse services division" with "treatment facility that treated the individual pursuant to court order"

Page 5, line 3, replace ", which" with "in the format and medium specified by the bureau after consultation with the state court administrator. The bureau"

Page 5, after line 5, insert:

"SECTION 4. APPLICATION. The attorney general shall implement and administer this Act within the limits of the budget of the attorney general. The attorney general may not add any full-time equivalent positions to assist with the implementation or administration of this Act.

SECTION 5. RETROACTIVE APPLICATION. This Act applies retroactively to cases under chapter 25-03.1 which arise after December 31, 2007."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1370: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1370 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1415: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1415 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "regular"

Page 1, line 9, remove "gun"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1438: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1438 was placed on the Sixth order on the calendar.

Page 2, line 15, after "a" insert "criminal or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3019: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3019 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "forego any attempt"

Page 1, replace line 2 with "immediately cease wrongful denial of access and wrongful requirement of payment for the natural flows of the Missouri River."

Page 1, line 16, remove "tourism, recreation, and the well-being of the citizens and communities in North"

Page 1, replace lines 17 through 21 with "the United States Army Corps of Engineers, through the Surplus Water Report, is clearly challenging the state of North Dakota and the upper basin states' rights to access the states' natural flows; and"

Page 1, after line 23, insert:

"WHEREAS, in contradiction to the Dakota Water Resources Act of 2000 and the 1958 Water Supply Act, the United States Army Corps of Engineers is forcing reimbursement of nonreimbursable costs by withholding review of future easement applications; and

WHEREAS, before the dams were constructed, the Missouri River provided ample water; and

WHEREAS, the natural flows of the Missouri River, even during the lowest flow periods, were and continue to be more than plentiful for the needs of North Dakota; and

WHEREAS, the natural flows of the Missouri River through Lake Sakakawea and Lake Oahe are not, and should not be, considered stored water; and"

Page 1, line 25, replace "or other restriction on" with "and deny water users in"

Page 1, line 25, replace "its lawful right to use and allocate water" with "access the natural flows of the Missouri River"

Page 2, line 4, remove "forego any attempt to charge water users in North Dakota a fee to use water from"

Page 2, line 5, replace "Lake Sakakawea or Lake Oahe" with "immediately cease wrongful denial of access and wrongful requirement of payment for the natural flows of the Missouri River"

Page 2, line 6, after "resolution" insert "by certified mail with return receipt"

Page 2, line 7, after "to" insert "the President of the United States; the Majority Leader of the United States Senate; the Minority Leader of the United States Senate; the Majority Leader of the United States House of Representatives; the Minority Leader of the United States House of Representatives; the Speaker of the United States House of Representatives;"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3028: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3028 was placed on the Sixth order on the calendar.

Page 3, line 13, after "to" insert "the President of the United States, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, the Majority Leader of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the Speaker of the United States House of Representatives,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3031: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3031 was placed on the Sixth order on the calendar.

Page 2, line 26, after "direct" insert "and indirect"

Page 3, line 21, after the first comma insert "the United States Secretary of the Interior, the director of Surface Mining and Reclamation and Enforcement,"

Page 3, line 21, after the second comma insert "the North Dakota Public Service Commission,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3036: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND

NOT VOTING). HCR 3036 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3037: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3037 was placed on the Tenth order on the calendar.

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

Buell J. Reich, Chief Clerk

