

## JOURNAL OF THE HOUSE

## Sixty-second Legislative Assembly

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Bismarck, January 28, 2011

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

The prayer was offered by Pastor Keith Ritchie, Cornerstone Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Dahl, R. Kelsch, and Kretschmar.

A quorum was declared by the Speaker.

## MOTION

**REP. VIGESAA MOVED** that HB 1041, which is on the Sixth order, be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, HB 1041 was rereferred.

## SIXTH ORDER OF BUSINESS

**SPEAKER DROVDAL DEEMED** approval of the amendments to HB 1106, HB 1140, HB 1430, and HB 1453.

HB 1106, HB 1140, HB 1430, and HB 1453, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. VIGESAA MOVED** that HB 1169 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, HB 1169 was rereferred.

## MOTION

**REP. VIGESAA MOVED** that HB 1340 and HB 1296 be moved to the bottom of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILL

**HB 1366:** A BILL for an Act to amend and reenact subsection 3 of section 45-11-01 and section 47-25-03 of the North Dakota Century Code, relating to a partnership fictitious name and a trade name filed with the secretary of state.

## ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Schmidt; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**NAYS:** Schatz; Thoreson

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

HB 1366 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1416:** A BILL for an Act to amend and reenact subsection 13 of section 23-11-01, section 23-11-21, subsection 23 of section 23-11-24, and section 23-11-29 of the North Dakota Century Code, relating to housing authorities and bonded indebtedness; 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 84 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Damschen; DeKrey; Delmore; Devlin; Dosch; Frantsvog; Froseth; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Steiner; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Zaiser; Speaker Drovdal

**NAYS:** Bellew; Delzer; Glassheim; Ruby; Skarphol; Streyle; Wrangham

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

HB 1416 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1471:** A BILL for an Act to amend and reenact section 54-21.3-04 of the North Dakota Century Code, relating to the state building code.

**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 71 YEAS, 20 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Boe; Boehning; Brabandt; Brandenburg; Clark; Conklin; Damschen; Delmore; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Sukut; Trottier; Vigesaa; Wieland; Winrich; Zaiser; Speaker Drovdal

**NAYS:** Bellew; Belter; Carlson; DeKrey; Delzer; Devlin; Dosch; Grande; Kempenich; Koppelman; Monson; Porter; Steiner; Streyle; Thoreson; Wall; Weiler; Weisz; Williams; Wrangham

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

HB 1471 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1078:** A BILL for an Act to amend and reenact section 27-20-48 of the North Dakota Century Code, relating to the immunity of a guardian ad litem.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1078 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1204:** A BILL for an Act to amend and reenact subsection 6 of section 12.1-17-07.1 of the North Dakota Century Code, relating to stalking and previous convictions.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kelsh, J.; Kretschmar

Engrossed HB 1204 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1329:** A BILL for an Act to amend and reenact sections 29-04-02 and 29-04-03 of the North Dakota Century Code, relating to statute of limitations in possession of stolen property.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.;

Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1329 passed.

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### SECOND READING OF HOUSE BILL

**HB 1339:** A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to domestic brewery licenses; and to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to taxes on alcohol.

### 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 78 YEAS, 13 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Boe; Clark; Delmore; Frantsvog; Hunskor; Kilichowski; Maragos; Martinson; Nathe; Porter; Weiler; Wrangham

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1339 passed.

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### SECOND READING OF HOUSE BILL

**HB 1421:** A BILL for an Act to create and enact a new chapter to title 47 of the North Dakota Century Code, relating to good funds for real estate transactions.

### 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 79 YEAS, 12 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Conklin; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kreun; Louser; Maragos; Martinson; Meier, L.; Metcalf; Mock; Monson; Nathe; 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

**NAYS:** Amerman; Boe; Clark; Delmore; Gruchalla; Hogan; Kroeber; Meyer, S.; Mueller; Nelson, J.; Nelson, M.; Onstad

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1421 passed.

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### SECOND READING OF HOUSE BILL

**HB 1180:** A BILL for an Act to amend and reenact subsection 7 of section 20.1-03-11 of the North Dakota Century Code, relating to landowner preference licenses to hunt elk.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemm; Koppelman; Kreidt; 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 Drovdal

**ABSENT AND NOT VOTING:** Boehning; Dahl; Kelsch, R.; Kretschmar

HB 1180 passed.

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### SECOND READING OF HOUSE BILL

**HB 1196:** A BILL for an Act to amend and reenact section 39-24.1-07 of the North Dakota Century Code, relating to operating a snowmobile while under the influence of alcohol or drugs; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Froseth; Headland; Meier, L.; Meyer, S.; Nelson, J.; Pollert; Trottier; Weisz; Wrangham

**ABSENT AND NOT VOTING:** Boehning; Dahl; Kelsch, R.; Kretschmar

HB 1196 passed.

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### SECOND READING OF HOUSE BILL

**HB 1235:** A BILL for an Act to create and enact chapter 57-65 of the North Dakota Century

Code, relating to refund of rent constituting property taxes for eligible 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 25 YEAS, 66 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Beadle; Boehning; Delmore; Dosch; Glassheim; Gruchalla; Guggisberg; Hanson; Hogan; Holman; Hunskor; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Meier, L.; Meyer, S.; Mock; Mueller; Nelson, M.; Onstad; Winrich; Zaiser

**NAYS:** Anderson; Bellew; Belter; Boe; Brabandt; Brandenburg; Carlson; Clark; Conklin; Damschen; DeKrey; Delzer; Devlin; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kreun; Louser; Maragos; Martinson; Metcalf; Monson; 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; Wrangham; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

HB 1235 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1239:** A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to a residential preference for the deer gun lottery.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 87 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Brandenburg; Maragos; Meyer, S.; Streyle

**NAYS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kreun; Kroeber; Louser; Martinson; Meier, L.; Metcalf; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

HB 1239 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1332:** A BILL for an Act to prohibit bisphenol-A in products for young children; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 68 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Delmore; Glassheim; Gruchalla; Guggisberg; Hanson; Hogan;

Holman; Hunskor; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Metcalf; Meyer, S.; Mock; Nelson, M.; Onstad; Owens; Williams; Winrich; Zaiser

**NAYS:** Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Monson; Mueller; Nathe; Nelson, J.; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

HB 1332 lost.

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### SECOND READING OF HOUSE BILL

**HB 1371:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-27.1-03.3 of the North Dakota Century Code, relating to the creation, possession, or dissemination of sexually expressive images.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Vigesaa; Wall; Weiler; Weisz; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar; Wieland

HB 1371 passed.

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### SECOND READING OF HOUSE BILL

**HB 1380:** A BILL for an Act to amend and reenact subsection 7 of section 53-06.1-01 of the North Dakota Century Code, relating to the definition of eligible organization for charitable gaming purposes.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**NAYS:** Bellew

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

HB 1380 passed.

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#### MOTION

**REP. VIGESAA MOVED** that HB 1388 be moved to the bottom of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1395:** A BILL for an Act to provide for a substance abuse services pilot voucher payment program; to provide a continuing appropriation; and to provide for a report to the legislative management.

#### 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 70 YEAS, 21 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boe; Carlson; Clark; Conklin; Damschen; DeKrey; Delmore; Devlin; Frantsvog; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemm; Koppelman; Kreun; Kroeber; Louser; Maragos; Martinson; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Steiner; Sukut; Trottier; Vigesaa; Wall; Weisz; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**NAYS:** Bellew; Boehning; Brabandt; Brandenburg; Delzer; Dosch; Froseth; Headland; Heller; Kasper; Kempenich; Kreidt; Meier, L.; Nathe; Pollert; Rust; Skarphol; Streyle; Thoreson; Weiler; Wieland

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

HB 1395 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1417:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for certain health centers; 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 72 YEAS, 19 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Brandenburg; Carlson; Conklin; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Porter; Rohr; Sanford; Schmidt; Steiner; Streyle; Sukut; Trottier; Vigesaa; Wall; Weisz; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**NAYS:** Boehning; Brabandt; Clark; Frantsvog; Froseth; Headland; Heller; Karls; Kasper;

Keiser; Nathe; Pollert; Ruby; Rust; Schatz; Skarphol; Thoreson; Weiler; Wieland

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

HB 1417 passed.

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### SECOND READING OF HOUSE BILL

**HB 1115:** A BILL for an Act to amend and reenact section 50-11-05 of the North Dakota Century Code, relating to the confidentiality of foster care records.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1115 passed.

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### SECOND READING OF HOUSE BILL

**HB 1135:** A BILL for an Act to create and enact section 59-09-13 of the North Dakota Century Code, relating to the insurable interest of a trustee.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1135 passed.

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### SECOND READING OF HOUSE BILL

**HB 1144:** A BILL for an Act to create and enact chapter 57-02.4 of the North Dakota Century Code, relating to special use permit fees for crew housing facilities; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; 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; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1144 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1149:** A BILL for an Act to amend and reenact subsection 6 of section 57-15-28.1 of the North Dakota Century Code, relating to the levy limitation for county comprehensive health care insurance employee benefit programs; 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 78 YEAS, 12 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boehning; Brabandt; Carlson; Clark; Conklin; Damschen; DeKrey; Delmore; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Pietsch; Pollert; Porter; Rust; Sanford; Schmidt; Skarphol; Steiner; Sukut; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Zaiser; Speaker Drovdal

**NAYS:** Bellew; Boe; Delzer; Heller; Kreidt; Paur; Rohr; Ruby; Schatz; Streyle; Thoreson; Wrangham

**ABSENT AND NOT VOTING:** Brandenburg; Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1149 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1304:** A BILL for an Act to create and enact a new subsection to section 43-25-04 of the North Dakota Century Code, relating to an exemption from massage therapy licensure for energy workers.

#### 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, 19 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boe; Boehning; Brabandt; Brandenburg;

Carlson; Clark; Conklin; Damschen; DeKrey; Delmore; Devlin; Froseth; Glassheim; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klemin; Koppelman; Kreun; Kroeber; Louser; Maragos; Martinson; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Ruby; Rust; Sanford; Schmidt; Steiner; Streyle; Sukut; Vigesaa; Wall; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Drovdal

**NAYS:** Bellew; Delzer; Dosch; Frantsvog; Grande; Headland; Heller; Kasper; Klein; Kreidt; Meier, L.; Nathe; Rohr; Schatz; Skarphol; Thoreson; Trottier; Weiler; Winrich

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1304 passed.

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### SECOND READING OF HOUSE BILL

**HB 1328:** A BILL for an Act to amend and reenact sections 35-17-04, 35-29-05, 35-30-02, 35-31-02, and 47-16-03 of the North Dakota Century Code, relating to the procedure for filing an agister's lien, the fees for filing federal tax liens, the procedure to file a processor's lien, the procedure to file an agricultural supplier's lien in the office of the secretary of state or a county recorder, and the procedure to file a landlord's lien in the office of a county recorder.

### 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 75 YEAS, 16 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boehning; Brabandt; Brandenburg; Carlson; Conklin; Damschen; DeKrey; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kreun; Maragos; Martinson; Meier, L.; Metcalf; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rust; Sanford; Schatz; Schmidt; Steiner; Streyle; Sukut; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**NAYS:** Bellew; Boe; Clark; Delmore; Delzer; Headland; Kasper; Kroeber; Louser; Meyer, S.; Mueller; Rohr; Ruby; Skarphol; Thoreson; Weiler

**ABSENT AND NOT VOTING:** Dahl; Kelsch, R.; Kretschmar

Engrossed HB 1328 passed.

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### SECOND READING OF HOUSE BILL

**HB 1027:** A BILL for an Act to create and enact a new section to chapter 4-10, chapters 4.1-53, 4.1-54, and 4.1-57, a new section to chapter 11-08, a new section to chapter 40-05, and a new section to chapter 58-03 of the North Dakota Century Code, relating to the labeling, certification, and sale of seed; to amend and reenact sections 4-10-12.1, 60-02-01, and 60-02.1-01 of the North Dakota Century Code, relating to seed labeler and wholesale potato dealer licenses; to repeal chapters 4-09, 4-09.1, 4-11, 4-25, and 4-42 of the North Dakota Century Code, relating to the labeling, certification, and sale of seed; to provide a penalty; and to provide a continuing appropriation.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; 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; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Dahl; Johnson, D.; Kelsch, R.; Kretschmar

HB 1027 passed.

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**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 1225.

**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 2028, SB 2145, SB 2158, SB 2284, SB 2289.

#### MOTION

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

#### 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 1:00 p.m., Monday, January 31, 2011, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**HB 1043: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (16 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). HB 1043 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1061: Political Subdivisions Committee (Rep. N. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1061 was placed on the Sixth order on the calendar.

Page 2, line 5, after "accepted" insert "governmental"

Page 2, line 12, after "ninety" insert "business"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1141: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (12 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING). HB 1141 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1148: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1148 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "twenty-five" with "thirty"

Page 1, line 16, replace "twenty-five" with "thirty"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1150: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1150 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1171: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1171 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1186: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO NOT PASS** (7 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). HB 1186 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1203: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1203 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1205: Political Subdivisions Committee (Rep. N. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1205 was placed on the Sixth order on the calendar.

Page 1, line 9, after "agency" insert "or a public service answering point on behalf of a law enforcement agency"

Page 1, line 11, after the first "agency" insert "or public service answering point"

Page 1, line 11, after the second "agency" insert "or public service answering point"

Page 1, line 22, after "agency" insert "or a public safety answering point on behalf of a law enforcement agency"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1219: Political Subdivisions Committee (Rep. N. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1219 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "ladybug, coccinella septempunctata" with "convergent lady beetle, hippodamia convergens, commonly known as a ladybug"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1253: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1253 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1265: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1265 was placed on the Sixth order on the calendar.

Page 1, line 10, after "receive" insert "full"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1295: Political Subdivisions Committee (Rep. N. Johnson, Chairman)** recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1295 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1298: Government and Veterans Affairs Committee (Rep. Grande, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1298 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1303: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1303 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1314: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1314 was placed on the Sixth order on the calendar.

Page 1, line 13, after the second "in" insert "subdivision e of subsection 1 of"

Page 1, line 14, after "54-05.1-03" insert "which is chargeable to a lobbyist"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

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

**REPORT OF STANDING COMMITTEE**

**HB 1343: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING). HB 1343 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1347: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1347 was placed on the Sixth order on the calendar.

Page 1, line 9, after "ton" insert "[907.18 kilograms] or fourteen cents per cubic yard [.76 cubic meter]"

Page 1, line 13, remove "moved incidental to mining or reclamation"

Page 1, line 14, remove "operations or materials"

Page 1, line 15, after the underscored period insert "This section does not apply to surface coal mining operations regulated under chapter 38-14.1."

Page 2, line 9, after the first "delinquent" insert "personal"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1357: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1357 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1359: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO NOT PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1359 was placed on

the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1360: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1360 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1394: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1394 was placed on the Sixth order on the calendar.

Page 1, line 8, after the first "property" insert "or commercial property containing living accommodations of four or more separate family units"

Page 1, line 9, replace "lessors" with "lessees"

Page 1, line 9, replace "on December thirty-first of" with "during"

Page 1, line 9, after "year" insert "for which the lessor received the property tax relief. Payments to lessees who reside in the property at the end of the taxable year must be made by the following March first. Lessees who do not reside in the property at the end of the taxable year but who paid the rent for a unit in the property for at least one month during the taxable year are entitled to a property tax relief allocation under this section, upon providing the lessor a written request for the allocation and an address to which the allocation should be sent"

Page 1, line 10, replace "lessor" with "lessee"

Page 1, line 12, replace "lessor" with "lessee"

Page 1, line 12, replace "lessors" with "lessees"

Page 1, after line 12, insert:

"A small claims court action filed for enforcement of a lessee's right to a property tax relief allocation under this section may not be removed from small claims court.

A lessor subject to this section shall provide a copy of this section to each lessee at the time a lease is entered or by November 30, 2011, whichever is later."

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1404: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1404 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3002: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3002 was placed on the Tenth order on the calendar.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Pollert, Brandenburg, D. Johnson and Sens. Klein, O'Connell introduced:

**HCR 3024:** A concurrent resolution congratulating the North Dakota Grain Dealers Association as it celebrates 100 years of existence.

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

Reps. D. Johnson, Monson, Delmore and Sens. Fischer, Wardner introduced:

**HCR 3025:** A concurrent resolution declaring March 10, 2011, as "Canada Day at the North Dakota Capitol".

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

Reps. Headland, Belter, Brandenburg and Sens. Miller, Uglem, Wanzek introduced:

**HCR 3026:** A concurrent resolution urging Congress to require renegotiation of United States Fish and Wildlife Service wetlands easements.

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

Reps. Schmidt, Hatlestad, J. Kelsh, Steiner and Sens. Larsen, Miller introduced:

**HCR 3027:** A concurrent resolution of no confidence in the Natural Resources Conservation Service's state conservationist and urging the United States Department of Agriculture's Natural Resources Conservation Service to continue the present cooperative agreement process at a \$10,000 funding level; allow continuation of local decisionmaking by resource conservation and development councils, including implementation of community development projects, for as long as Congress funds the Resource Conservation and Development program; and to allow a resource conservation and development coordinator colocated with a North Dakota regional council to maintain that colocation.

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

Reps. Headland, Grande, Heller and Sens. Christmann, Wanzek, Wardner introduced:

**HCR 3028:** A concurrent resolution urging Congress to adopt legislation prohibiting the Environmental Protection Agency by any means necessary from regulating greenhouse emissions, including, if necessary, defunding Environmental Protection Agency greenhouse gas regulatory activities; imposing a moratorium on adoption on any new air quality regulations by the Environmental Protection Agency by any means necessary, except those directly addressing an imminent health or environmental emergency, for a period of at least two years, including defunding Environmental Protection Agency air quality regulatory activities; and requiring the administration to undertake a study identifying all regulatory activity the Environmental Protection Agency intends to undertake in furtherance of its goal of "taking action on climate change and improving air quality" and specifying the cumulative effect of all these regulations on the economy, jobs, and American economic competitiveness.

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

Reps. Weiler, Carlson, Vigesaa, J. Kelsh and Sens. Stenehjem, Taylor introduced:

**HCR 3029:** A concurrent resolution declaring Monday, February 14, 2011, "North Dakota Close-Up Day".

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

Reps. Headland, Owens, S. Meyer and Sens. Cook, Miller, Triplett introduced:

**HCR 3030:** A concurrent resolution directing the Legislative Management to study the feasibility and desirability of requiring use of cigarette tax stamps to ensure compliance with tobacco products tax laws.

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

Reps. Heller, Headland, Kreidt and Sens. Christmann, Freborg, Lyson introduced:

**HCR 3031:** A concurrent resolution expressing the concern of the Legislative Assembly with the scope, justification, and substances of the Office of Surface Mining Reclamation and Enforcement's stream protection rule.

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

Reps. Weiler, Weisz, Onstad and Sens. Freborg, Lyson, Warner introduced:

**HCR 3032:** A concurrent resolution directing the Legislative Management to study the needs of, economic values of, and methods to improve access roadways to recreational, tourist, and historical sites in North Dakota.

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

Reps. Grande, Boe and Sens. Andrist, Fischer introduced:

**HCR 3033:** A concurrent resolution recognizing the indispensable role of nuclear energy to a comprehensive, integrated United States economic, energy security, and environmental strategy and supporting a host of federal and state policy initiatives to spur a new wave of nuclear plant development.

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

Reps. Nathe, Dosch and Sen. Kilzer introduced:

**HCR 3034:** A concurrent resolution recognizing the local and international work of the North

Dakota-founded and based charity--The GOD'S CHILD Project--and congratulating this North Dakotan humanitarian effort on its 20th anniversary.  
Was read the first time and referred to the **Human Services Committee**.

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

**Buell J. Reich, Chief Clerk**

