

## JOURNAL OF THE HOUSE

## Sixty-second Legislative Assembly

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Bismarck, February 2, 2011

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

The prayer was offered by Pastor Cecil Stanton, Faith Center Church of God of Prophecy, Bismarck.

The roll was called and all members were present except Representatives Glassheim, Weisz, and Wrangham.

A quorum was declared by the Speaker.

**SIXTH ORDER OF BUSINESS**

**SPEAKER DROVDAL DEEMED** approval of the amendments to HB 1221 and HB 1378.

HB 1221 and HB 1378, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. VIGESAA MOVED** that HCR 3012 be returned to the House floor from the **Government and Veterans Affairs Committee** and be rereferred to the **Constitutional Revision Committee**, which motion prevailed.

Pursuant to Rep. Vigesaa's motion, HCR 3012 was rereferred.

**MOTION**

**REP. VIGESAA MOVED** that HCR 3018 be returned to the House floor from the **Education Committee** and be rereferred to the **Constitutional Revision Committee**, which motion prevailed.

Pursuant to Rep. Vigesaa's motion, HCR 3018 was rereferred.

**SECOND READING OF HOUSE BILL**

**HB 1295:** A BILL for an Act to create and enact section 21-03-06.1 of the North Dakota Century Code, relating to voter approval of public building projects funded through a building authority or other indirect means.

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

**YEAS:** Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Damschen; Delzer; Dosch; Grande; Headland; Heller; Karls; Kasper; Kempenich; Koppelman; Kreidt; Meier, L.; Meyer, S.; Monson; Nathe; Nelson, M.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Skarphol; Steiner; Thoreson; Trottier; Weiler; Wieland; Zaiser

**NAYS:** Amerman; Anderson; Boe; Conklin; Dahl; DeKrey; Delmore; Devlin; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemm; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Metcalf; Mock; Mueller; Nelson, J.; Onstad; Pietsch; Sanford; Streyle; Sukut; Vigesaa; Wall; Weisz; Williams; Winrich; Speaker Drovdal

**ABSENT AND NOT VOTING:** Wrangham

HB 1295 lost.

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### SECOND READING OF HOUSE BILL

**HB 1298:** A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to the creation of a state ethics committee.

### 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:** Amerman; Boe; Conklin; Delmore; Glasheim; Gruchalla; Guggisberg; Hanson; Hogan; Holman; Hunskor; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Nelson, M.; Onstad; Weiler; Winrich; Zaiser

**NAYS:** Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; 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.; Monson; Nathe; Nelson, J.; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Drovdal

**ABSENT AND NOT VOTING:** Wrangham

HB 1298 lost.

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### SECOND READING OF HOUSE BILL

**HB 1303:** A BILL for an Act to create and enact section 57-51.1-02.1 and chapter 57-51.3 of the North Dakota Century Code, relating to application of the extraction tax to natural gas and imposition of a separate and additional oil and gas infrastructure maintenance tax; 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 8 YEAS, 83 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Conklin; Hogan; Holman; Kaldor; Kilichowski; Metcalf; Nelson, M.

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

**ABSENT AND NOT VOTING:** Boe; Dahl; Wrangham

HB 1303 lost.

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### SECOND READING OF HOUSE BILL

**HB 1391:** A BILL for an Act to create and enact section 57-39.4-33.3 of the North Dakota Century Code, relating to prohibited replacement taxes; to amend and reenact

subsection 2 of section 11-09.1-05, subsection 16 of section 40-05.1-06, subsection 1 of section 57-39.2-02.1, sections 57-39.4-01, 57-39.4-02, 57-39.4-03, and 57-39.4-04, subsections 1 and 3 of section 57-39.4-09, and sections 57-39.4-10, 57-39.4-11.1, 57-39.4-14, 57-39.4-14.1, 57-39.4-18, 57-39.4-19, 57-39.4-20, and 57-39.4-24 of the North Dakota Century Code, relating to the administration of the streamlined sales and use tax agreement; to repeal chapter 57-39.3 of the North Dakota Century Code, relating to fees in lieu of sales 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 PASS, the roll was called and there were 54 YEAS, 38 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Beadle; Belter; Brandenburg; Conklin; Dahl; Delmore; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Hogan; Holman; Hunskor; Johnson, N.; Kaldor; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Meier, L.; Meyer, S.; Mock; Nelson, M.; Onstad; Owens; Pollert; Porter; Sanford; Streyle; Sukut; Trottier; Weiler; Wieland; Williams; Winrich; Zaiser; Speaker Drovdal

**NAYS:** Anderson; Bellew; Boehning; Brabandt; Carlson; Clark; Damschen; DeKrey; Delzer; Devlin; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kretschmar; Kreun; Louser; Martinson; Metcalf; Monson; Mueller; Nathe; Nelson, J.; Paur; Pietsch; Rohr; Ruby; Rust; Schatz; Schmidt; Skarphol; Steiner; Thoreson; Vigesaa; Wall; Weisz

**ABSENT AND NOT VOTING:** Boe; Wrangham

HB 1391 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1315:** A BILL for an Act to amend and reenact subsection 1 of section 50-22-04 of the North Dakota Century Code, relating to the filing of an annual report by a charitable organization.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; 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; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Boe; Wrangham

HB 1315 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1343:** A BILL for an Act to provide an appropriation for defraying the expenses of the industrial commission; and to declare an emergency.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; 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; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Boe; Wrangham

HB 1343 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1357:** A BILL for an Act to create and enact section 4.1-07-14.1 of the North Dakota Century Code, relating to assessments on dry peas and lentils; and to amend and reenact sections 4.1-07-12, 4.1-07-13, 4.1-07-14, 4.1-07-15, and 4.1-07-16 of the North Dakota Century Code, relating to the assessment on dry peas and lentils.

**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 0 YEAS, 91 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**NAYS:** Amerman; Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; 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; Zaiser; Speaker Drovdal

**ABSENT AND NOT VOTING:** Boe; Kaldor; Wrangham

HB 1357 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1359:** A BILL for an Act to amend and reenact section 64-02-01 of the North Dakota Century Code, relating to the calibration of instruments used to measure grain protein.

**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 22 YEAS, 70 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Damschen; Gruchalla; Hawken; Heilman; Heller; Hogan; Kelsh, J.; Kempenich; Kilichowski; Klein; Maragos; Meier, L.; Metcalf; Meyer, S.; Monson; Nelson, J.; Nelson, M.; Onstad; Paur; Schatz; Zaiser

**NAYS:** Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Guggisberg; Hanson; Hatlestad; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Martinson; Mock; Mueller; Nathe; Owens; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Speaker Drovdal

**ABSENT AND NOT VOTING:** Boe; Wrangham

HB 1359 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1360:** A BILL for an Act to amend and reenact section 57-39.2-26.1 of the North Dakota Century Code, relating to the share of sales tax collections allocated to the state aid distribution fund; 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 23 YEAS, 69 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson; Beadle; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; 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.; Monson; Nathe; Nelson, J.; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Speaker Drovdal

**ABSENT AND NOT VOTING:** Boe; Wrangham

HB 1360 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1404:** A BILL for an Act to amend and reenact sections 57-39.2-02.1, 57-39.2-08.2, and 57-40.2-02.1 of the North Dakota Century Code, relating to the rate of sales and use tax for modular homes; 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 24 YEAS, 68 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Boehning; Delmore; Dosch; Glassheim; Heller; Hogan; Kasper; Kempenich; Koppelman; Meyer, S.; Monson; Nelson, M.; Onstad; Paur; Ruby; Schatz; Steiner; Thoreson; Wall; Weiler; Wieland; Williams; Zaiser

**NAYS:** Amerman; Anderson; Beadle; Belter; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delzer; Devlin; Frantsvog; Froseth; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Mock; Mueller; Nathe; Nelson, J.; Owens; Pietsch; Pollert; Porter; Rohr; Rust; Sanford; Schmidt;

Skarphol; Streyle; Sukut; Trottier; Vigesaa; Weisz; Winrich; Speaker Drovdal

**ABSENT AND NOT VOTING:** Boe; Wrangham

HB 1404 lost.

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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 1106, HB 1140, HB 1171, HB 1340, HB 1388, HB 1430, HB 1453.

**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 1141.

**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 2082, SB 2090, SB 2133, SB 2196, SB 2223, SB 2281, SB 2283, SB 2293.

**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 2190.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SCR 4009.

#### 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., Thursday, February 3, 2011, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**HB 1121: 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 1121 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "considered by the commissioner to be"

Page 1, line 12, replace the first underscored comma with "and"

Page 1, line 12, remove ". is not subject to"

Page 1, remove line 13

Page 1, replace line 14 with ". This subsection may not be construed to limit the authority to subpoena or otherwise discover the documents, materials, or other information or to limit use of the documents, materials, or other information in criminal investigations or proceedings."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1181: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1181 was placed on the Sixth order on the calendar.

Page 1, line 15, remove "and an individual who is under fourteen years of age and who will"

Page 1, remove line 16

Page 1, line 17, remove "hunt during the youth antelope season"

Page 2, line 3, replace "receive" with "apply for"

Page 2, line 3, remove "but may hunt only in the youth antelope"

Page 2, line 4, remove "hunting season"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1183: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1183 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1218: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1218 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1231: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1231 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1237: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1237 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1301: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1301 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1386: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1386 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1389: 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 1389 was placed on the Sixth order on the calendar.

Page 4, line 20, replace "No civil" with "Civil"

Page 4, line 20, after "may" insert "not"

Page 4, line 20, after "individual" insert "or to any state or local governmental entity"

Page 4, line 22, replace "that" with "which"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1413: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1413 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections"

Page 1, line 1, after "1" insert "and 7"

Page 1, line 8, overstrike "imminently"

Page 1, line 14, overstrike "imminently"

Page 1, after line 21, insert:

**"SECTION 2. AMENDMENT.** Subsection 7 of section 61-03-21.3 of the North Dakota Century Code is amended and reenacted as follows:

7. If the state engineer has issued an order under this section with regard to a building, structure, boat dock, debris, or other manmade object that the state engineer has determined is ~~imminently~~ likely to be a menace to life or property or public health or safety, and it later becomes known that the object would not have become a menace, a person who has taken action required by the state engineer's order is entitled to compensation in an amount equal to the value of any property destroyed and reasonable costs incurred as a result of complying with the state engineer's notice."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1419: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1419 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "vesting" with "venting"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1427: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1427 was placed on the Sixth order on the calendar.

Page 2, line 13, after "that" insert "the condition causing the mental injury was extraordinary and unusual in comparison to the normal conditions of the particular employment and that"

Renumber accordingly

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

**Buell J. Reich, Chief Clerk**