

**JOURNAL OF THE HOUSE**

**Sixtieth Legislative Assembly**

\* \* \* \* \*

**Bismarck, February 26, 2007**

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

The prayer was offered by Pastor Tim Jenks, Bethel Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Brandenburg, S. Kelsh, and Wall.

A quorum was declared by the Speaker.

**MOTION**

**REP. MONSON MOVED** that after action taken on the Sixth order, SB 2029 not be re-referred to Appropriations, but be placed on the Fourteenth order, as amended, for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

**SPEAKER DELZER DEEMED** approval of the amendments to Engrossed SB 2029.

Engrossed SB 2029, as amended, was placed on the Fourteenth order of business on the calendar.

**MOTION**

**REP. MONSON MOVED** the passage of all the resolutions on the Consent Calendar.

**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS  
AND SENATE CONCURRENT RESOLUTION ON CONSENT CALENDAR**

**HCR 3048:** A concurrent resolution directing the Legislative Council to study crime victims compensation funding.

**HCR 3049:** A concurrent resolution directing the Legislative Council to study whether it is feasible and desirable to modify the renaissance zone law to allow for scattered site development.

**HCR 3050:** A concurrent resolution directing the Legislative Council to study the filling of vacancies in the Legislative Assembly.

**HCR 3051:** A concurrent resolution directing the Legislative Council to study the procedures through which members of the Legislative Assembly are elected.

**HCR 3056:** A concurrent resolution directing the Legislative Council to study the search for and identification of missing persons.

**HCR 3057:** A concurrent resolution directing the Legislative Council to study the corporate and individual income tax laws to determine the feasibility and desirability of providing income tax benefits for employers to encourage expansion of employment opportunities in the state.

**SCR 4007:** A concurrent resolution urging Congress to provide adequate funding for state meat and poultry inspection programs and to enact legislation that allows federally approved state programs to ship state-inspected products interstate.

The question being on the final adoption of the resolutions, which have been read.

HCR 3048, HCR 3049, HCR 3050, HCR 3051, HCR 3056, HCR 3057, and SCR 4007 were declared adopted on a voice vote, and the titles were agreed to.

\*\*\*\*\*

**MOTION**

**REP. MONSON MOVED** that SB 2066, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2058:** A BILL for an Act to authorize the game and fish department to transfer land to adjacent landowners around Golden Lake.

**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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Brandenburg; Kelsh, S.; Wall

SB 2058 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2059:** A BILL for an Act to amend and reenact section 20.1-03-12 of the North Dakota Century Code, relating to fees for game and fish licenses and permits to propagate, domesticate, or possess protected wildlife.

**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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Brandenburg; Kelsh, S.; Wall

SB 2059 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2061:** A BILL for an Act to amend and reenact subsection 7 of section 54-24-03 of the North Dakota Century Code, relating to duties of the state librarian to compile statistics on public libraries.

**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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad;

Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Brandenburg; Kelsh, S.; Wall

SB 2061 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

**REP. MONSON MOVED** that a committee of two be appointed to escort Annette Olson, Miss North Dakota, to the podium, which motion prevailed. Speaker Delzer appointed Reps. Wrangham and Hanson to the Escort Committee.

#### REMARKS OF ANNETTE OLSON, MISS. NORTH DAKOTA 2007

I appreciate the opportunity to speak with you today. As Miss North Dakota, I have the privilege of meeting and speaking with students across the state. I have visited 40 schools and spoken to approximately 5,000 students. I have been so impressed with the young people I have met, and the administration and teachers at our North Dakota schools.

I attended a tiny country school in Regan, ND. I was the only student in my class. I feel so fortunate to have been able to receive my education in such a setting. I feel so fortunate to have been able to receive my education in such a setting. From the largest schools in the state to the very smallest, education in North Dakota is top-notch.

This year I have traveled the state promoting the "Eat Smart, Play Hard" campaign. This is a program of the NDSU Extension Service. As an employee of the State Health Department, I am aware of the correlation between diet and disease. I find the recent trends toward childhood obesity and chronic illness particularly alarming. I teach kids about the importance of making healthy lifestyle choices in regards to nutrition and exercise.

When I am visiting with youth, we often discuss their goals and future ambitions. This is my favorite part of being Miss North Dakota. These young people have bright futures and big dreams. I am convinced that we have some of the country's best educated, most talented, and hard working kids. Thank you for the work you do to support education in our small schools as well as our larger schools. You have deemed youth leadership and achievement programs in our state, programs like 4-H, a priority. These programs give our children the skills to achieve their dreams.

The ongoing work to bring new businesses and opportunities in technology, research, and renewable energy offers promising futures for the youth of North Dakota. This is an exciting time of growth and economic development in our state. With all of the potential on the horizon, North Dakota is a great place for young people.

#### MOTION

**REP. BERG MOVED** that the remarks of Annette Olson be printed in the Journal.

#### SECOND READING OF SENATE BILL

**SB 2071:** A BILL for an Act to amend and reenact section 50-24.1-02.8 of the North Dakota Century Code, relating to medical assistance and transfers involving annuities.

#### 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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Kelsh, S.; Wall

SB 2071, as amended, passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2082:** A BILL for an Act to amend and reenact subsections 1, 2, and 6 of section 57-38-04 and subsection 4 of section 57-38-30.3 of the North Dakota Century Code, relating to the credit for income taxes paid to another state; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleason; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglen; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Kelsh, S.; Wall

SB 2082 passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2086:** A BILL for an Act to amend and reenact subsection 5 of section 57-40.3-01 of the North Dakota Century Code, relating to use of total loss statements.

### 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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleason; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglen; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Kelsh, S.; Wall

SB 2086 passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2095:** A BILL for an Act to amend and reenact section 4-35-05 of the North Dakota Century Code, relating to pesticide definitions; 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 89 YEAS, 1 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleason; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.;

Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Zaiser; Speaker Delzer

**NAYS:** Wrangham

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Kelsh, S.; Wall

Engrossed SB 2095 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2098:** A BILL for an Act to amend and reenact sections 5-02-05, 5-02-05.1, and 19-03.1-44 of the North Dakota Century Code, relating to dispensing of alcoholic beverages, Sunday alcoholic beverage permits, and drug usage reporting requirements; and to repeal sections 54-12-19 and 54-12-20 of the North Dakota Century Code, relating to the block house program.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 67 YEAS, 23 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Berg; Boe; Boehning; Carlisle; Charging; Clark; Conrad; Dahl; DeKrey; Delmore; Dietrich; Drovdal; Ekstrom; Froseth; Glassheim; Griffin; Gruchalla; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Kelsch, R.; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Weiler; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Aarsvold; Bellew; Belter; Carlson; Damschen; Dosch; Froelich; Grande; Guleson; Karls; Keiser; Kempenich; Kerzman; Kingsbury; Klein; Koppelman; Meier, L.; Pollert; Solberg; Vigesaa; Wald; Weisz; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Kelsh, S.; Wall

SB 2098 passed and the title was agreed to.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2099:** A BILL for an Act to amend and reenact subsections 1 and 3 of section 4-41-02 of the North Dakota Century Code, relating to industrial hemp; to provide a continuing appropriation; 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 79 YEAS, 11 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Carlson; Charging; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Weisz; Wieland; Williams; Wolf; Zaiser

**NAYS:** Bellew; Carlisle; Clark; Gruchalla; Karls; Kempenich; Thoreson; Thorpe; Weiler; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Kelsh, S.; Wall

Reengrossed SB 2099 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2104:** A BILL for an Act to amend and reenact section 6-09-41 of the North Dakota Century Code, relating to loan guarantees for livestock and dairy farming and related equipment and facilities.

#### 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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Kelsh, S.; Wall

Engrossed SB 2104 passed and the title was agreed to.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2107:** A BILL for an Act to amend and reenact section 4-33-12 of the North Dakota Century Code, relating to deposit of fees for agricultural export certification services.

#### 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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Kelsh, S.; Wall

SB 2107 passed and the title was agreed to.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2119:** A BILL for an Act to amend and reenact sections 43-01-09, 43-01-14, and 43-01-23 of the North Dakota Century Code, relating to licensed abstracter records.

#### 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:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Kelsh, S.; Wall

SB 2119 passed and the title was agreed to.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2142:** A BILL for an Act to amend and reenact sections 37-14-04, 37-14-06, and 37-14-07 of the North Dakota Century Code, relating to loans made from the veterans' aid fund.

#### 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:** Aarsvold; Amerman; Bellew; Belter; Boe; Boehning; Boucher; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Berg; Brandenburg; Kelsh, S.; Wall

SB 2142 passed and the title was agreed to.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2147:** A BILL for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to nonresidents hunting geese in Richland and Sargent Counties during the early goose season.

#### 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:** Aarsvold; Amerman; Bellew; Belter; Boe; Boehning; Boucher; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Berg; Brandenburg; Kelsh, S.; Wall

SB 2147 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2151:** A BILL for an Act to amend and reenact sections 6-08-16 and 6-06-16.2 of the North Dakota Century Code, relating to increasing fees and costs for checks issued on closed accounts and accounts with insufficient funds; 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 54 YEAS, 37 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Berg; Boucher; Charging; Clark; Conrad; Dahl; Dietrich; Dosch; Ekstrom; Glassheim; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Heller; Hofstad; Hunskor; Johnson, N.; Kaldor; Karls; Keiser; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Martinson; Metcalf; Monson; Myxter; Nottestad; Pietsch; Pinkerton; Pollert; Potter; Price; Ruby; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigesaa; Wald; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Belter; Boe; Boehning; Carlisle; Carlson; Damschen; DeKrey; Delmore; Drovdal; Froelich; Froseth; Grande; Griffin; Headland; Herbel; Johnson, D.; Kasper; Kelsch, R.; Kempenich; Kerzman; Koppelman; Kroeber; Meier, L.; Meyer, S.; Mueller; Nelson; Onstad; Owens; Porter; Schmidt; Schneider; Skarphol; Solberg; Thoreson; Weiler; Weisz; Speaker Delzer

**ABSENT AND NOT VOTING:** Brandenburg; Kelsh, S.; Wall

SB 2151 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2158:** A BILL for an Act to amend and reenact section 43-07-02, subsection 3 of section 43-07-04, section 43-07-10, and subsection 3 of section 43-07-14 of the North Dakota Century Code, relating to contractor licenses and unlicensed contractors.

**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 83 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Boe; DeKrey; Froelich; Klein; Meyer, S.; Schmidt; Weisz; Speaker Delzer

**ABSENT AND NOT VOTING:** Brandenburg; Kelsh, S.; Wall

Engrossed SB 2158 passed and the title was agreed to.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2210:** A BILL for an Act to create and enact a new section to chapter 13-01 of the North Dakota Century Code, relating to the amount of late payment charges and finance charges on medical bills; and to amend and reenact sections 13-01-14 and 13-01-15 of the North Dakota Century Code, relating to the amount of late payment charges on medical bills.

**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 81 YEAS, 10 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.



**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weisz; Wieland; Williams; Wolf; Zaiser

**NAYS:** Bellew; Froelich; Kasper; Koppelman; Ruby; Schmidt; Solberg; Weiler; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Brandenburg; Kelsh, S.; Wall

Engrossed SB 2210, as amended, passed and the title was agreed to.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2230:** A BILL for an Act to amend and reenact sections 16.1-11.1-01, 16.1-11.1-02, 16.1-11.1-03, 16.1-11.1-04, and 16.1-11.1-06 of the North Dakota Century Code, relating to mail ballot elections.

### 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 65 YEAS, 25 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Berg; Boehning; Boucher; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schneider; Sukut; Svedjan; Uglem; Vigesaa; Weiler; Weisz; Williams; Wolf

**NAYS:** Aarsvold; Bellew; Belter; Carlisle; Carlson; Delmore; Griffin; Headland; Keiser; Koppelman; Martinson; Meyer, S.; Myxter; Ruby; Schmidt; Skarphol; Solberg; Thoreson; Thorpe; Vig; Wald; Wieland; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe; Brandenburg; Kelsh, S.; Wall

Engrossed SB 2230 passed and the title was agreed to.

\*\*\*\*\*

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1045, HB 1048, HB 1206, HB 1224, HB 1257, HB 1333.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2089, SB 2091, SB 2124.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2089, SB 2091, SB 2124.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2097, SB 2120, SB 2130.

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

**MR. PRESIDENT:** The House has passed unchanged: SB 2083, SB 2085, SB 2088, SB 2132, SB 2133, SB 2170, SB 2175.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1178, HB 1201, HB 1490.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed unchanged: HB 1037, HB 1053, HB 1057, HB 1068, HB 1098, HB 1104, HB 1122, HB 1131, HB 1184, HB 1193, HB 1248, HB 1261, HB 1341, HB 1347, HB 1387, HCR 3014.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4025.

**MOTION**

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

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, February 27, 2007, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2087, as engrossed: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2087 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2111: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2111 was placed on the Sixth order on the calendar.

Page 1, line 8, overstrike "twenty-five" and insert immediately thereafter "twenty"

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2112, as engrossed: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2112 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2148: Transportation Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2148 was placed on the Sixth order on the calendar.

Page 2, line 12, remove the overstrike over "~~The department~~"

Page 2, line 13, remove the overstrike over "~~shall~~" and replace ", or a" with "assess a fee of at least"

Page 2, line 14, replace "dollar fee" with "dollars but not more than two thousand dollars"

Page 7, line 1, replace "five hundred dollar fee" with "fee of at least five hundred dollars but not more than two thousand dollars"

Page 7, line 18, replace "five hundred dollar fee" with "fee of at least five hundred dollars but not more than two thousand dollars"

Page 8, line 16, replace "five hundred dollar fee" with "fee of at least five hundred dollars but not more than two thousand dollars"

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2159: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2159 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2234, as engrossed: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended,

recommends **DO PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2234 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first comma insert "subsection 1 of section 16.1-11-11,"

Page 1, line 11, after the second comma insert "and"

Page 1, line 15, after the second comma insert "and telephone number,"

Page 3, after line 3, insert:

**"SECTION 3. AMENDMENT.** Subsection 1 of section 16.1-11-11 of the North Dakota Century Code is amended and reenacted as follows:

1. A certificate of endorsement signed by the district chairman of any legally recognized political party containing the candidate's name, post-office address, and telephone number, the title of the office to which the candidate aspires, and the party that the candidate represents; or"

Page 3, line 6, remove "telephone number," and after "and" insert "telephone number,"

Page 3, line 12, after the second comma insert "and" and remove the underscored comma

Page 4, line 5, remove "state" and overstrike "representatives" and insert immediately thereafter "state representative"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2236: Political Subdivisions Committee (Rep. Herbel, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2236 was placed on the Sixth order on the calendar.

Page 1, line 11, after "both" insert "in the same election"

Page 2, line 8, remove the overstrike over "~~thirty three~~" and remove "sixty"

Page 2, line 9, remove the overstrike over "~~thirty third~~" and remove "sixtieth"

Page 2, line 15, after "both" insert "in the same election"

Page 2, line 17, after "both" insert "in the same election"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HCR 3058: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HCR 3058 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3059: Political Subdivisions Committee (Rep. Herbel, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3059 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "recently" and after "Assembly" insert "in 1997"

Page 1, line 8, replace "appropriateness of this action" with "zoning authority"

Page 1, line 9, replace "people" with "citizens"

Page 1, line 10, replace "but does not provide these people meaningful involvement" with "and the involvement of those citizens should be considered" and after the second "of" insert "whether"

Page 1, line 11, replace the first "to" with "may", replace "these" with "the", and remove "to unincorporated territory"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3061: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HCR 3061 was placed on the Sixth order on the calendar.

Page 1, after line 22, insert:

**"BE IT FURTHER RESOLVED**, that the state health officer and the commissioner of agriculture jointly convene a task force composed of state agency representatives, local government officials, organizations, and groups involved in the development of confined animal feeding operations to assist the Legislative Council in data gathering, analysis, and the formulation of recommendations; and"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3063: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3063 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "do" with "may"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3064: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HCR 3064 was placed on the Sixth order on the calendar.

Page 1, line 12, after "education" insert ", skill, and ability"

Renumber accordingly

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

**Buell J. Reich, Chief Clerk**