

JOURNAL OF THE HOUSE

Sixtieth Legislative Assembly

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Bismarck, February 7, 2007

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

The prayer was offered by Pastor Janet Mathistad, Bethany Lutheran Church, Minot

The roll was called and all members were present except Representatives Solberg and Zaiser.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER DELZER DEEMED approval of the amendments to HB 1219, HB 1227, HB 1241, HB 1319, HB 1408, HB 1440 and HB 1451.

HB 1219, HB 1227, HB 1241, HB 1319, HB 1408, HB 1440 and HB 1451, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. MONSON MOVED that HB 1298, HB 1280, HB 1038, HB 1389, and HB 1418, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1416: A BILL for an Act to amend and reenact section 14-09-10 of the North Dakota Century Code, relating to family members' reciprocal duties of support.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 74 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Dosch; Grande; Johnson, N.; Keiser; Kelsch, R.; Klemin; Kretschmar; Meier, L.; Meyer, S.; Nelson; Owens; Pinkerton; Porter; Price; Schmidt; Wald

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Koppelman; Kreidt; Kroeber; Martinson; Metcalf; Monson; Mueller; Myxter; Nottestad; Pollert; Potter; Ruby; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Onstad; Pietsch; Solberg; Zaiser

Engrossed HB 1416 lost.

SECOND READING OF HOUSE BILL

HB 1417: A BILL for an Act to create and enact chapter 51-33 of the North Dakota Century Code, relating to security freezes on consumer credit reports; to provide a penalty; to provide an effective date; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; 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.;

Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Zaiser

Engrossed HB 1417 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1444: A BILL for an Act to amend and reenact section 15.1-29-02.1 of the North Dakota Century Code, relating to payments for students participating in cross-border attendance.

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 6 YEAS, 86 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Brandenburg; Froelich; Karls; Kerzman; Kretschmar; Wald

NAYS: Aarsvold; Amerman; Bellew; 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; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Zaiser

HB 1444 lost.

SECOND READING OF HOUSE BILL

HB 1452: A BILL for an Act to provide for limitations on the civil liability of a charitable organization.

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 85 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; 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; Schmidt; Schneider; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Speaker Delzer

NAYS: Bellew; Griffin; Kasper; Koppelman; Ruby; Skarphol; Wrangham

ABSENT AND NOT VOTING: Solberg; Zaiser

Engrossed HB 1452 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1482: A BILL for an Act to create and enact a new section to chapter 12-47 of the North Dakota Century Code, relating to health care for chronically or terminally ill offenders.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; 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.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Zaiser

Engrossed HB 1482 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1497: A BILL for an Act to amend and reenact section 29-26-22 of the North Dakota Century Code, relating to court administration fees.

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: Aarsvold; Amerman; Bellew; Boe; Boucher; Froelich; Gruchalla; Gulleson; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Pinkerton; Potter; Schmidt; Schneider; Skarphol; Williams

NAYS: Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Griffin; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Damschen; Solberg; Zaiser

HB 1497 lost.

SECOND READING OF HOUSE BILL

HB 1500: A BILL for an Act to amend and reenact section 12.1-22-03 of the North Dakota Century Code, relating to criminal trespass.

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; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; DeKrey; Delmore; Dietrich; Dosch; Drovda; 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.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Damschen; Solberg; Zaiser

HB 1500 passed and the title was agreed to.

MOTION

REP. MONSON MOVED that HB 1517, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1519: A BILL for an Act to amend and reenact subsection 5 of section 57-01-02.1 of the North Dakota Century Code, relating to retailers submitting refund claim forms on behalf of purchasers eligible for refunds of city or county sales, use, or gross receipts taxes.

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

YEAS: Bellew; Boe; Boehning; Brandenburg; Carlson; Clark; Dosch; Grande; Karls; Kasper; Kempenich; Koppelman; Martinson; Meier, L.; Nottestad; Ruby; Skarphol; Svedjan; Thoreson; Speaker Delzer

NAYS: Aarsvold; Amerman; Belter; Berg; Boucher; Carlisle; Charging; Conrad; Dahl; Damschen; Delmore; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Sukut; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham

ABSENT AND NOT VOTING: DeKrey; Solberg; Zaiser

HB 1519 lost.

SECOND READING OF HOUSE BILL

HB 1254: A BILL for an Act to amend and reenact section 39-21-41.4 of the North Dakota Century Code, relating to the use of safety belts; and to repeal section 39-21-41.5 of the North Dakota Century Code, relating to secondary enforcement of safety belt requirements.

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

YEAS: Aarsvold; Boucher; Clark; Conrad; Delmore; Dietrich; Dosch; Ekstrom; Glassheim; Gruchalla; Hanson; Hatlestad; Hawken; Herbel; Hunskor; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Kroeber; Martinson; Metcalf; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Potter; Price; Schneider; Thorpe; Uglem; Wieland; Williams; Wolf

NAYS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Dahl; Damschen; DeKrey; Drovdal; Froelich; Froseth; Grande; Griffin; Gulleson; Haas; Headland; Heller; Hofstad; Johnson, D.; Karls; Kasper; Kempenich; Kerzman; Klein; Koppelman; Kreidt; Kretschmar; Meier, L.; Meyer, S.; Monson; Nelson; Pollert; Porter; Ruby; Schmidt; Skarphol; Sukut; Svedjan; Thoreson; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Zaiser

HB 1254 lost.

SECOND READING OF HOUSE BILL

HB 1271: A BILL for an Act to amend and reenact sections 14-05-24 and 14-05-27 of the North Dakota Century Code, relating to property division in divorce and separation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 78 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Boehning; DeKrey; Griffin; Hawken; Johnson, N.; Keiser; Kelsch, R.; Kretschmar; Onstad; Pinkerton; Porter; Speaker Delzer

NAYS: Aarsvold; Amerman; Bellew; Belter; Boe; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Owens; Pietsch; Pollert; Potter; Price; Ruby; Schmidt; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham

ABSENT AND NOT VOTING: Berg; Schneider; Solberg; Zaiser

Engrossed HB 1271 lost.

SECOND READING OF HOUSE BILL

HB 1364: A BILL for an Act to amend and reenact section 20.1-03-12.2 of the North Dakota Century Code, relating to antlered deer license application fees; 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 40 YEAS, 52 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Berg; Boe; Boucher; Carlisle; Clark; Damschen; DeKrey; Delmore; Dosch; Ekstrom; Glassheim; Griffin; Gruchalla; Haas; Hanson; Hatlestad; Hofstad; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Klemin; Kretschmar; Kroeber; Martinson; Mueller; Nelson; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Thorpe; Weiler; Weisz; Wieland

NAYS: Aarsvold; Amerman; Bellew; Belter; Boehning; Brandenburg; Carlson; Charging; Conrad; Dahl; Dietrich; Drovdal; Froelich; Froseth; Grande; Gulleson; Hawken; Headland; Heller; Herbel; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Kempenich; Kerzman; Kingsbury; Klein; Koppelman; Kreidt; Meier, L.; Metcalf; Meyer, S.; Monson; Myxter; Nottestad; Owens; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Zaiser

Engrossed HB 1364 lost.

SECOND READING OF HOUSE BILL

HB 1388: A BILL for an Act to create and enact a new section to chapter 39-13 of the North Dakota Century Code, relating to a logo sign program.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 74 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Charging; Dosch; Glassheim; Johnson, N.; Kingsbury; Klein; Klemin; Kreidt; Meier, L.; Metcalf; Nottestad; Owens; Potter; Skarphol; Wald; Wolf

NAYS: Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Koppelman; Kretschmar; Kroeber; Martinson; Meyer, S.; Monson; Mueller; Myxter; Nelson; Onstad; Pietsch; Pinkerton; Pollert; Porter; Price; Ruby; Schmidt; Schneider; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Zaiser

HB 1388 lost.

SECOND READING OF HOUSE BILL

HB 1141: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2, a new subdivision to subsection 1 of section 57-38-01.3, and a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual and corporate income tax deduction for income from small business activity in this state; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 82 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bellew; Dahl; Owens; Ruby; Schmidt; Vig; Vigesaa; Weiler

NAYS: Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; 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.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Dietrich; Pinkerton; Solberg; Zaiser

Engrossed HB 1141 lost.

SECOND READING OF HOUSE BILL

HB 1190: A BILL for an Act to amend and reenact sections 57-36-01, 57-36-09, 57-36-25, 57-36-26, 57-36-28, 57-36-29, and 57-36-33 of the North Dakota Century Code, relating to the tobacco products tax; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 29 YEAS, 63 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boe; Boucher; Charging; Delmore; Ekstrom; Froelich; Griffin; Gruchalla; Hanson; Hawken; Hofstad; Hunskor; Johnson, N.; Kaldor; Keiser; Kelsh, S.; Kretschmar; Kroeber; Martinson; Monson; Myxter; Nelson; Potter; Schmidt; Schneider; Wall; Weiler; Williams

NAYS: Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Froseth; Glassheim; Grande; Gulleson; Haas; Hatlestad; Headland; Heller; Herbel; Johnson, D.; Karls; Kasper; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Meier, L.; Metcalf; Meyer, S.; Mueller; Nottestad; Onstad; Owens; Pietsch; Pinkerton;

Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weisz; Wieland; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Zaiser

Engrossed HB 1190 lost.

SECOND READING OF HOUSE BILL

HB 1262: A BILL for an Act to amend and reenact sections 39-04-08, 39-04-10.4, and 39-04-11 of the North Dakota Century Code, relating to number plates.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 57 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Belter; Boe; Boehning; Brandenburg; Carlisle; Carlson; Clark; Dietrich; Froelich; Grande; Headland; Heller; Kempenich; Kerzman; Klein; Klemin; Kreidt; Meier, L.; Monson; Nelson; Nottestad; Owens; Pinkerton; Pollert; Ruby; Skarphol; Thoreson; Thorpe; Vigesaa; Weiler; Weisz; Williams; Wrangham; Speaker Delzer

NAYS: Aarsvold; Amerman; Bellew; Berg; Boucher; Charging; Conrad; Dahl; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Koppelman; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Mueller; Myxter; Onstad; Pietsch; Porter; Potter; Price; Schmidt; Schneider; Sukut; Svedjan; Uglem; Vig; Wald; Wall; Wieland; Wolf

ABSENT AND NOT VOTING: Damschen; Solberg; Zaiser

HB 1262 lost.

SECOND READING OF HOUSE BILL

HB 1436: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for employers for contributions or support for child care programs for dependents of employees; 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 33 YEAS, 59 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Conrad; Dahl; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Gulleon; Hanson; Hawken; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Myxter; Nottestad; Onstad; Pinkerton; Potter; Schmidt; Schneider; Thoreson; Vig; Wolf

NAYS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Froseth; Grande; Haas; Hatlestad; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Nelson; Owens; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Zaiser

HB 1436 lost.

SECOND READING OF HOUSE BILL

HB 1478: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an

income tax credit for contributions to school districts or nonpublic elementary and secondary schools in this state; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 31 YEAS, 61 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bellew; Boe; Brandenburg; Carlson; Dahl; Dosch; Froelich; Grande; Hawken; Hunskor; Johnson, N.; Karls; Kasper; Kelsch, R.; Kerzman; Klein; Klemin; Kretschmar; Meier, L.; Metcalf; Monson; Pinkerton; Porter; Price; Ruby; Thoreson; Wald; Wall; Weiler; Wieland; Williams

NAYS: Aarsvold; Amerman; Belter; Berg; Boehning; Boucher; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Dietrich; Drovdal; Ekstrom; Froseth; Glassheim; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Headland; Heller; Herbel; Hofstad; Johnson, D.; Kaldor; Keiser; Kelsh, S.; Kempenich; Kingsbury; Koppelman; Kreidt; Kroeber; Martinson; Meyer, S.; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigesaa; Weisz; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Solberg; Zaiser

Engrossed HB 1478 lost.

SECOND READING OF HOUSE BILL

HB 1518: A BILL for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to profits of the Bank of North Dakota; and to provide for a transfer.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 57 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Conrad; Dahl; Delmore; Dietrich; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Gulleston; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Metcalf; Meyer, S.; Mueller; Myxter; Onstad; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Williams; Wolf

NAYS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Damschen; Dosch; Drovdal; Froseth; Grande; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Martinson; Meier, L.; Monson; Nelson; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: DeKrey; Solberg; Zaiser

HB 1518 lost.

SECOND READING OF HOUSE BILL

HB 1037: A BILL for an Act to create and enact a new section to chapter 26.1-40 of the North Dakota Century Code, relating to proof of insurance; to amend and reenact section 39-08-20 of the North Dakota Century Code, relating to the criminal procedure for driving without liability insurance; and to provide a penalty.

ROLL CALL

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

YEAS: Aarsvold; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; 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.; Kelsh, S.; Kempenich; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

NAYS: Boe; Froelich; Kerzman

ABSENT AND NOT VOTING: Amerman; DeKrey; Solberg; Zaiser

Engrossed HB 1037 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1064: A BILL for an Act to create and enact a new section to chapter 39-03 of the North Dakota Century Code, relating to creation of the highway patrol assets forfeiture fund; and to provide a continuing appropriation.

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 88 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; 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.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham

NAYS: Bellew; Speaker Delzer

ABSENT AND NOT VOTING: Amerman; DeKrey; Solberg; Zaiser

Reengrossed HB 1064 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1088: A BILL for an Act to repeal section 6-09-40 of the North Dakota Century Code, relating to reimbursement of Bank losses for the new venture capital program.

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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; 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.; Kelsh, S.; 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; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Amerman; DeKrey; Solberg; Thorpe; Zaiser

Engrossed HB 1088 passed and the title was agreed to.

MOTION

REP. MONSON MOVED that HB 1130, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1147: A BILL for an Act to amend and reenact sections 47-16-06 and 47-16-15 of the North Dakota Century Code, relating to the notice of termination of residential leases.

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 88 YEAS, 1 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; 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; Keiser; Kelsch, R.; Kelsh, S.; 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; Ruby; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

NAYS: Kasper

ABSENT AND NOT VOTING: Amerman; DeKrey; Price; Solberg; Zaiser

Engrossed HB 1147 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1196: A BILL for an Act to create and enact subsection 3 to section 39-06-01.1 and a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to cell phone use by minors in motor vehicles; and to amend and reenact section 39-06.1-09 of the North Dakota Century Code, relating to the definition of a moving violation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 70 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Clark; Dietrich; Ekstrom; Glassheim; Gruchalla; Hanson; Herbel; Hunskor; Kaldor; Karls; Keiser; Kelsh, S.; Kerzman; Kingsbury; Klemin; Kretschmar; Metcalf; Mueller; Potter; Vigesaa

NAYS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Conrad; Dahl; Damschen; Delmore; Dosch; Drovdal; Froelich; Froseth; Grande; Griffin; Gulleson; Haas; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kempenich; Klein; Koppelman; Kreidt; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Price; Ruby; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: DeKrey; Solberg; Zaiser

Engrossed HB 1196 lost.

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 1330, HB 1369, HB 1470, HB 1490.

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 1034, HB 1069, HB 1181, HB 1222, HB 1263, HB 1295, HB 1324, HB 1341, HB 1342,

HB 1371, HB 1372, HB 1379, HB 1380, HB 1382, HB 1383, HB 1386, HB 1387, HB 1392, HB 1403, HB 1429, HB 1446, HCR 3008, HCR 3012, HCR 3013, HCR 3021, HCR 3031.

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 2319, SB 2320, SB 2369, SB 2380, SB 2381.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, February 8, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1124: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1124 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "4-09-20.1,"

Page 1, line 2, remove "4-10-12.1," and remove "vendor responsibility for"

Page 1, line 3, remove "data on seed labels," and remove ", and immunity from liability from contract or tort suits"

Page 1, line 4, remove "for inspection, analysis, and certifications of agricultural" and replace "crops" with "crop warranties or representations"

Page 1, line 24, after "department" insert "at the time of inspection" and remove "Certification does not mean or constitute any warranty"

Page 2, remove lines 1 through 4

Page 5, remove lines 9 through 30

Page 6, line 8, overstrike "and regulations", after "department" insert "at the time of inspection", and remove "Certification does not mean or"

Page 6, remove lines 9 through 12

Page 8, line 3, replace "use on seed labels or tags, or use or attach to literature," with "alter the label or certificate furnished by the inspector under subsection 4."

Page 8, remove lines 4 and 5

Page 8, line 7, remove "potato seed" and replace the underscored colon with "certified potato seed that"

Page 8, line 8, remove "a. That" and replace ", or bears false or" with an underscored period

Page 8, remove lines 9 through 31

Page 9, remove lines 1 through 4

Page 9, line 7, after "**Warranties**" insert "**or representations**"

Page 9, line 9, remove the overstrike over "or"

Page 9, line 10, remove "or identity of variety or selection,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1194: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1194 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1211: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1211 was placed on the Sixth order on the calendar.

Page 1, line 17, remove the overstrike over "~~twenty~~" and remove "one hundred dollars for the garnishment"

Page 1, line 18, remove "debtor and one hundred"

Page 1, line 20, after "list" insert an underscored comma

Page 1, line 21, after "signed" insert "under penalty of perjury" and after "debtor" insert an underscored comma

Page 3, line 10, remove the overstrike over "~~twenty~~" and remove "one hundred"

Page 3, line 12, after "you" insert ", under penalty of perjury,"

Page 4, line 6, remove the overstrike over "~~twenty~~" and remove "one hundred"

Page 4, line 8, after "you" insert ", under penalty of perjury,"

Page 4, line 22, after "I" insert ", under penalty of perjury,"

Page 10, line 12, remove the overstrike over "~~Dependent~~" and remove "Debtor and dependent"

Page 10, line 13, remove the overstrike over "~~twenty~~" and remove "one hundred dollars for debtor plus"

Page 10, line 14, remove "one hundred"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1213: 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 1213 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study of state bankruptcy exemptions."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL STUDY - BANKRUPTCY EXEMPTIONS. The legislative council shall consider studying, during the 2007-08 interim, the current state exemptions for bankruptcy and the desirability of updating these exemptions. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1264: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1264 was placed on the Sixth order on the calendar.

Page 1, line 7, remove the overstrike over "~~one dollar~~"

Page 1, line 8, remove the first "four dollars", remove the overstrike over "~~one dollar~~", and remove the second "four dollars"

Page 1, line 11, remove ", or collect a rake of up to two dollars per hand"

Page 1, line 12, remove the overstrike over "~~amount of prizes may not exceed~~"

Page 1, line 13, remove the overstrike over "~~ninety percent~~" and remove "organization must retain adjusted gross proceeds of at least ten percent"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1267: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1267 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "five-year" with "three-year"

Page 1, line 10, replace the underscored comma with "and"

Page 1, line 11, remove ", and productivity"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1272: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1272 was placed on the Sixth order on the calendar.

Page 1, line 3, replace the first comma with "and" and remove ", and productivity"

Page 1, line 11, replace the first underscored comma with "and" and remove ", and"

Page 1, line 12, remove "productivity"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1275: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1275 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1276: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1276 was placed on the Sixth order on the calendar.

Page 1, line 12, after "year" insert "or territory has been incorporated into the taxing district which was not part of the taxing district in the previous taxable year"

Page 1, line 13, after "improvements" insert "or added territory"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1277: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1277 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1294: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1294 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "realtors" with "costs associated with purchase and sale"

Page 1, line 8, remove "commissions" and replace "realtors' commissions" with "costs associated with purchase and sale"

Page 1, line 11, replace the first underscored comma with "and" and remove ", and productivity"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1314: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1314 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1336: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1336 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1366: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1366 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1437: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1437 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study of the feasibility and desirability of restricting the unauthorized use of the name or image of a current or former member of the military."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2007-08 interim, the feasibility and desirability of restricting the unauthorized use of the name or image of a current or former member of the military. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1509: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (7 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1509 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new" and after "subsection" insert "7"

Page 1, line 2, remove "and dog"

Page 1, line 10, remove "and dog"

Page 1, line 11, replace "A new subsection" with "Subsection 7"

Page 1, after line 12, insert:

"7. a."

Page 1, line 13, remove "and dog"

Page 1, line 15, replace "From this" with "Of this amount deducted:"

- (1) Five percent must be paid to the commission for deposit in the purse fund;
- (2) Five percent must be paid to the commission for deposit in the breeders' fund; and

- (3) Five percent must be paid to the commission for deposit in the racing promotion fund.
- b. Placement of historic racing machines is limited to the two live racetracks and to the sites that are licensed to conduct simulcast wagering as of the effective date of this Act."

Page 1, remove lines 16 through 19

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2167, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2167 was placed on the Fourteenth order on the calendar.

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

Buell J. Reich, Chief Clerk

