

## JOURNAL OF THE HOUSE

## Sixty-first Legislative Assembly

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Bismarck, March 23, 2009

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

The prayer was offered by Pastor Leon Zavidil, Trinity Lutheran Church, Jamestown.

The roll was called and all members were present except Representatives Boe, Boucher, Ekstrom, Froelich, S. Kelsh, Kempenich, Thorpe, Wall, and Wolf.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER MONSON DEEMED** approval of the amendments to SB 2125, Engrossed SB 2165, SB 2191, SB 2243, SB 2251, Engrossed SB 2359, Engrossed SB 2401, and Reengrossed SB 2438.

Reengrossed SB 2438, as amended, was rereferred to the **Appropriations Committee**.

SB 2125, Engrossed SB 2165, SB 2191, SB 2243, SB 2251, Engrossed SB 2359, and Engrossed SB 2401, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## POINT OF PERSONAL PRIVILEGE

**REP. L. MEIER:** Mr. Speaker: I rise on a point of personal privilege.

The Bismarck Legislators and I are proud to honor the team, the coaches and the Bismarck High girls basketball program today and we are pleased to have them with us in the chamber today.

On Saturday, March 14, 2009 the Bismarck Demons girls basketball team defeated the Fargo South Bruins by a score of 70 to 62. The state championship capped off an excellent season in which Bismarck had 20 wins, 5 losses!

In addition, Coach Andrea Ronderos is a first year coach for the Bismarck Demons and I quote what she stated about her team. "The girls believe in each other, they believed they could win."

Bismarck players Kelsey Sigl and Sarah Feeney were named to the all tournament team with Sarah Feeney winning Most Valuable Player honors.

Not only are these young women outstanding on the court, they also excel in the classroom and are active in the community.

Congratulations to the Class A Champions, the Bismarck Demons girls basketball team.

## MOTION

**REP. VIGESAA MOVED** that the remarks of Rep. L. Meier be printed in the Journal, which motion prevailed.

## SECOND READING OF SENATE BILL

**SB 2192:** A BILL for an Act to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to Vietnam Veterans' Day; 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 85 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.;

Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

Engrossed SB 2192 passed, the title was agreed to, and the emergency clause was declared carried.

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#### **FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Government and Veterans Affairs Committee introduced:

(Approved by the Delayed Bills Committee)

**HCR 3065:** A concurrent resolution urging Congress to appoint an independent counsel to investigate the issue of American prisoners of war and those missing in action.

Was read the first time.

#### **MOTION**

**REP. VIGESAA MOVED** that the rules be suspended, that HCR 3065 not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Government and Veterans Affairs Committee introduced:

(Approved by the Delayed Bills Committee)

#### **HOUSE CONCURRENT RESOLUTION NO. 3065**

A concurrent resolution urging Congress to appoint an independent counsel to investigate the issue of American prisoners of war and those missing in action.

**WHEREAS**, the issue of prisoners of war and those missing in action has been a national dilemma since the end of World War II; and

**WHEREAS**, there is a strong need for an independent investigation into all unresolved matters relating to any United States personnel unaccounted for from the Gulf War, Vietnam Conflict, Korean Conflict, World War II, and Cold War missions, including personnel missing in action and prisoners of war; and

**WHEREAS**, it is the responsibility and duty of the United States government to bring home Americans missing in action from the Gulf War, Vietnam Conflict, Korean Conflict, World War II, and Cold War missions; and

**WHEREAS**, as of July 2005 the Government Accountability Office listed 88,115 service men and women unaccounted for from these conflicts; and

**WHEREAS**, American prisoners of war and their missing comrades have demonstrated the true spirit of our nation and should never be forgotten; and

**WHEREAS**, the families of these inspiring Americans deserve to know what happened to their loved ones; and

**WHEREAS**, Americans from every generation have answered the call to duty with dedication and valor and these brave Americans deserve the respect and gratitude of our nation and all efforts should be made to resolve the prisoner of war and missing in action issue in their honor;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Sixty-first Legislative Assembly urges the Congress of the United States to appoint an independent counsel to investigate the issue of American prisoners of war and those missing in action; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the President of the United States and to each member of the North Dakota Congressional Delegation.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3065:** A concurrent resolution urging Congress to appoint an independent counsel to investigate the issue of American prisoners of war and those missing in action.

The question being on the final adoption of the resolution, which has been read.

HCR 3065 was declared adopted and the title was agreed to on a voice vote.

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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: HCR 3065.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. J. Kelsh, Amerman, Hawken, S. Kelsh and Sens. Flakoll, Mathern introduced:  
(Approved by the Delayed Bills Committee)

**HCR 3064:** A concurrent resolution supporting Congress in its efforts to obtain the release of Roxana Saberi.

Was read the first time.

**MOTION**

**REP. VIGESAA MOVED** that the rules be suspended, that HCR 3064 not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Reps. J. Kelsh, Amerman, Hawken, S. Kelsh and Sens. Flakoll, Mathern introduced:  
(Approved by the Delayed Bills Committee)

**HOUSE CONCURRENT RESOLUTION NO. 3064**

A concurrent resolution supporting Congress in its efforts to obtain the release of Roxana Saberi.

**WHEREAS,** Roxana Saberi has worked as a reporter for a number of international news organizations; and

**WHEREAS,** Roxana Saberi has been detained in Iran since January under the claim that she was engaged in "illegal" activities because she continued working in Iran after the government revoked her press credentials; and

**WHEREAS,** Roxana Saberi is being held in Evin Prison, which has been referred to by the British Broadcasting Corporation as Iran's most notorious prison; and

**WHEREAS,** Roxana Saberi has been allowed only one brief telephone contact with her family; and

**WHEREAS,** Roxana Saberi grew up in Fargo, North Dakota, graduated from Concordia College, and is known to many residents as a former reporter for KVLV-TV and a former Miss North Dakota;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Assembly supports Congress in all of its efforts to obtain the release of Roxana Saberi and ensure her safe return to the United States and her return to the family members, friends, colleagues, and thousands of supporters and well-wishers who daily keep her in their thoughts and prayers; and

**BE IT FURTHER RESOLVED,** that the Secretary of State forward copies of this resolution to the family of Roxana Saberi and to each member of the North Dakota Congressional Delegation.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3064:** A concurrent resolution supporting Congress in its efforts to obtain the release of Roxana Saberi.

The question being on the final adoption of the resolution, which has been read.

HCR 3064 was declared adopted and the title was agreed to on a voice vote.

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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: HCR 3064.

**SECOND READING OF SENATE BILL**

**SB 2239:** A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to property tax assessments for new construction; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog;

Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

Engrossed SB 2239, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2247:** A BILL for an Act to amend and reenact subsections 35 through 42 of section 57-02-08 of the North Dakota Century Code, relating to property tax exemptions for new construction; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 1 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**NAYS:** Glassheim

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

SB 2247, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2293:** A BILL for an Act to amend and reenact subsection 2 of section 12.1-17-01 of the North Dakota Century Code, relating to the assault of state hospital employees; 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 85 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

SB 2293, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2421:** A BILL for an Act to amend and reenact subsections 7 and 8 of section 25-03.1-02 and section 25-03.1-11 of the North Dakota Century Code, relating to emergency procedures for mental health commitments; and to provide for a legislative council study.

### 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, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

Engrossed SB 2421, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2085:** A BILL for an Act to amend and reenact sections 15-01-02.1, 15-02-08, 15-03-01.1, 15-03-02, 15-03-04, 15-03-05.1, and 15-06-40 of the North Dakota Century Code, relating to the management of the trust funds under the control of the board of university and school lands; to repeal sections 15-03-05.2 and 15-08-01 of the North Dakota Century Code, relating to distributions from trust funds under the control of the board of university and school lands; 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 84 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Brandenburg; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

SB 2085 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2160:** A BILL for an Act to create and enact two new sections to chapter 13-04.1 and chapter 13-10 of the North Dakota Century Code, relating to licensing of residential mortgage brokers and regulation of loans not in excess of one thousand dollars and automatic extension of money broker license; to amend and reenact subsections 1 and 3 of section 6-01-01.1, sections 13-04.1-02.1, 13-04.1-04, and 13-04.1-05, subsection 2

of section 41-09-11, and section 51-14-03.2 of the North Dakota Century Code, relating to changes necessitated by the repeal of chapter 13-03.1, the financial institutions regulatory fund balance, exemptions from licensing requirements under the North Dakota money broker statute, annual license fees, and licensure renewal dates; to repeal chapter 13-03.1 of the North Dakota Century Code, relating to regulation of lending activities; 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 bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

Reengrossed SB 2160 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF SENATE BILL

**SB 2082:** A BILL for an Act to amend and reenact sections 15-10-18.2 and 15-10-19.1 of the North Dakota Century Code, relating to tuition and tuition waivers for veterans and their dependents at state institutions of higher education.

#### 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 83 YEAS, 2 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**NAYS:** Bellew; Delzer

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

SB 2082, as amended, passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2176:** A BILL for an Act to amend and reenact section 47-16-18 of the North Dakota Century Code, relating to the termination of a lease by death.

#### 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, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

Engrossed SB 2176, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2202:** A BILL for an Act to provide for a legislative council study of school enrollment and attendance.

### 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 43 YEAS, 41 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Berg; Carlson; Conklin; Dahl; DeKrey; Delmore; Frantsvog; Glassheim; Hawken; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, J.; Kingsbury; Klein; Klemin; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Nelson; Nottestad; Onstad; Pietsch; Porter; Schneider; Svedjan; Uglem; Vigesaa; Weisz; Wieland; Winrich; Speaker Monson

**NAYS:** Bellew; Boehning; Brandenburg; Clark; Conrad; Damschen; Delzer; Dosch; Drovdal; Froseth; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Headland; Heller; Karls; Kasper; Kerzman; Kilichowski; Koppelman; Kreidt; Mueller; Myxter; Nathe; Pinkerton; Pollert; Potter; Ruby; Rust; Schatz; Schmidt; Skarphol; Sukut; Thoreson; Vig; Wald; Weiler; Williams; Wrangham

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf; Zaiser

Reengrossed SB 2202, as amended, lost.

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### SECOND READING OF SENATE BILL

**SB 2219:** A BILL for an Act to amend and reenact section 27-01-10 of the North Dakota Century Code, relating to fees assessed for criminal violations; 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 18 YEAS, 67 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Clark; Conklin; Conrad; Dahl; Glassheim; Gruchalla; Hunskor; Keiser; Kelsh, J.; Kilichowski; Kingsbury; Kretschmar; Metcalf; Mueller; Nottestad; Pinkerton; Thoreson; Vig

**NAYS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Grande; Griffin; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kerzman; Klein; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier, L.; Meyer, S.; Mock; Myxter; Nathe; Nelson; Onstad; Pietsch; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Uglem; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Kempenich; Thorpe; Wall; Wolf

SB 2219, as amended, lost.

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#### SECOND READING OF SENATE BILL

**SB 2250:** A BILL for an Act to create and enact a new section to chapter 35-27 of the North Dakota Century Code, relating to attorney's fees under construction liens; to amend and reenact sections 28-01-17, 28-05-09, 35-15-06, 35-21-01, 35-27-02, 35-27-04, 35-27-13, 35-27-14, 35-27-16, 35-27-18, 35-27-22, 35-27-24, 35-27-25, and 47-18-04 of the North Dakota Century Code, relating to mechanic's and construction liens; and to repeal sections 35-27-05, 35-27-11, 35-27-12, and 35-27-26 of the North Dakota Century Code, relating to outdated mechanic's lien provisions.

#### 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, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Hawken; Kelsh, S.; Thorpe; Wall; Wolf

Engrossed SB 2250, as amended, passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2288:** A BILL for an Act to amend and reenact section 15.1-21-03 of the North Dakota Century Code, relating to instructional time requirements for high school units.

#### 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 24 YEAS, 62 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Conklin; Conrad; Delmore; Glassheim; Griffin; Gruchalla; Kelsh, J.; Kerzman; Kilichowski; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Onstad; Pinkerton; Potter; Rust; Schmidt; Schneider; Vig; Winrich

**NAYS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Grande; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Nathe; Nottestad; Pietsch; Pollert; Porter; Ruby; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Thorpe; Wall; Wolf

SB 2288, as amended, lost.

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#### SECOND READING OF SENATE BILL

**SB 2052:** A BILL for an Act to amend and reenact subsection 10 of section 57-02-27.2 of the North Dakota Century Code, relating to extension of the deadline for counties to



implement use of soil survey data in agricultural property tax assessments; 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 68 YEAS, 18 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Berg; Boehning; Brandenburg; Carlson; Conklin; Conrad; Damschen; DeKrey; Delmore; Frantsvog; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsh, J.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Onstad; Pietsch; Pinkerton; Pollert; Rust; Schatz; Schmidt; Schneider; Sukut; Svedjan; Uglem; Vig; Vigesaa; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

**NAYS:** Bellew; Clark; Dahl; Delzer; Dosch; Drovdal; Heller; Kasper; Kelsch, R.; Kreidt; Meier, L.; Nottestad; Porter; Potter; Ruby; Skarphol; Thoreson; Wald

**ABSENT AND NOT VOTING:** Boe; Boucher; Ekstrom; Froelich; Kelsh, S.; Thorpe; Wall; Wolf

SB 2052 passed and the title was agreed to.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1181.

#### DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on March 23, 2009: HB 1181.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1302.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2370, SB 2388, SB 2389, SB 2416.

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

**MR. PRESIDENT:** The House has passed unchanged: SB 2052, SB 2085.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2160.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2192.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2082, SB 2176, SB 2239, SB 2250, SB 2293, SB 2421.

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

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2202, SB 2219, SB 2288.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2082, SB 2176, SB 2239, SB 2250, SB 2293, SB 2421.

#### MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

**MR. SPEAKER:** The Senate has passed unchanged: HCR 3064.

#### MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

**MR. SPEAKER:** The President has signed: HB 1109, HB 1159, HB 1176, HB 1234, HB 1272, HB 1386, HB 1413, HB 1484, HB 1491, HB 1505, HB 1525, HB 1575, HCR 3020, HCR 3051.

#### MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

**MR. SPEAKER:** The Senate has failed to pass unchanged: HB 1258, HB 1332, HB 1364.

**MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)**

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2139.

**MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)**

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1039, HB 1041, HB 1057, HB 1207, HB 1265.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1039**

Page 1, line 2, after the fourth comma insert "47-18-04, 47-18-14,"

Page 1, line 3, after "process" insert "and the homestead exemption"

Page 7, line 21, overstrike "person" and insert immediately thereafter "individual"

Page 7, line 22, overstrike "shall consist" and insert immediately thereafter "consists"

Page 7, line 25, overstrike "eighty" and insert immediately thereafter "one hundred twenty-five"

Page 7, line 27, overstrike "In no case shall the" and insert immediately thereafter "The" and after "homestead" insert "may not"

Page 7, line 28, overstrike "they" and insert immediately thereafter "the lots or tracts of land"

Page 7, after line 30, insert:

**"SECTION 9. AMENDMENT.** Section 47-18-04 of the North Dakota Century Code is amended and reenacted as follows:

**47-18-04. When homestead subject to execution.** A homestead is subject to execution or forced sale in satisfaction of judgments obtained in the following cases:

1. On debts secured by mechanics' or laborers' liens for work or labor done or performed or material furnished exclusively for the improvement of the same.
2. On debts secured by mortgage on the premises executed and acknowledged by both husband and wife, or an unmarried claimant.
3. On debts created for the purchase thereof and for all taxes accruing and levied thereon.
4. On all other debts when, upon an appraisal as provided by section 47-18-06, it appears that the value of ~~said the~~ homestead is more than eighty one hundred twenty-five thousand dollars over and above liens or encumbrances thereon, and then only to the extent of any value in excess of the sum total of ~~such the~~ liens and encumbrances plus said eighty one hundred twenty-five thousand dollars.

**SECTION 10. AMENDMENT.** Section 47-18-14 of the North Dakota Century Code is amended and reenacted as follows:

**47-18-14. Proceeds of sale exempt - Disposition.** If the sale of a homestead is made as provided in section 47-18-13, the proceeds thereof to the amount of the homestead exemption must be paid to the claimant and the residue applied to the satisfaction of the execution. When the execution is against a married claimant whose spouse is living, the court may direct that the ~~eighty one hundred twenty-five~~ thousand dollars be deposited in court to be paid out only on the joint receipt of the husband and wife, and it shall possess all the protection against legal process and voluntary disposition by either spouse as did the original homestead premises whether paid directly to the claimant or to the husband and wife jointly."

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE BILL NO. 1041**

Page 3, line 27, after "~~Victims~~" insert "a."

Page 4, line 2, after the period insert:

"b. Victims who are not registered must be given prompt notice by the law enforcement agency that has made an arrest in any case involving a crime of violence of any hearing in which the arrested person's pretrial release status will be determined. If the alleged offender in a crime of violence is scheduled to be released before an appearance in court, the custodial authority shall give prompt notice to the victim and witness or, if unavailable, to the arresting law enforcement agency, which shall provide the notice to the victim or witness.

c."

Page 6, line 10, after the period insert "Victims who are not registered must be given the same information by the prosecuting attorney."

Page 7, line 1, after the period insert "Victims who are not registered must be given the same notice by the prosecuting attorney."

Page 7, line 9, after the period insert "Victims who are not registered must be given the same notice by the appropriate custodial authority."

Page 7, line 13, remove the overstrike over "~~The notice given by the custodial authority must~~"

Page 7, remove the overstrike over line 14

Renumber accordingly

#### **SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1057**

Page 1, line 4, after the semicolon insert "to provide for reports to the legislative council;"

Page 1, line 14, replace "must maintain" with "shall comply with", after "accreditation" insert "requirements established", and remove "North Dakota department of"

Page 1, line 15, replace "veterans' affairs" with "national association of county veterans' service officers" and after "appointment" insert ", except an individual serving as a county veterans' service officer on August 1, 2009, shall comply with the accreditation requirements by December 1, 2010. After August 1, 2011, a county veterans' service officer shall comply with either the accreditation requirements established by the national association of county veterans' service officers or requirements established by a recognized service organization or the department of veterans' affairs in compliance with requirements of the United States department of veterans affairs"

Page 1, line 23, after the period insert "A county veterans' service officer may not serve as a conservator for an individual who is receiving benefits or services from the department of veterans' affairs or the United States department of veterans affairs, except if the individual is the spouse or an immediate family member of the officer."

Page 2, line 5, replace "a person" with "an individual who is" and after "department" insert ", except if the individual is the spouse or an immediate family member of the employee"

Page 2, after line 9, insert:

**"SECTION 4. REPORTS TO LEGISLATIVE COUNCIL.** By December 1, 2009, the commissioner of veterans' affairs shall provide to the legislative council a report regarding the number of county veterans' service officers accredited in accordance with the requirements of section 1 of this Act, the agency or organization through which each officer has been accredited, and an accountability report with respect to the use of the funds granted under section 5 of this Act for the training program offered through the department of veterans' affairs to county veterans' service officers. The commissioner shall present followup reports by July 1, 2010, and December 1, 2010. By December 1, 2010, the board of county commissioners of each county shall report to the legislative council the status of the county's compliance with section 1 of this Act."

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1207**

Page 1, line 15, after "**required**" insert "**- Exception**"

Page 1, line 17, after the period insert "This section does not apply to United States bankruptcy court proceedings or to matters in which the decedent, trustor, beneficiary, or protected

individual is a spouse, child, grandchild, parent, grandparent, or sibling of the attorney serving as a fiduciary."

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1265**

Page 1, line 1, after the second "and" insert "subdivision a of subsection 1 of"

Page 1, line 2, replace the second "to" with a period

Page 1, remove line 3

Page 1, line 15, remove the overstrike over "and"

Page 1, line 16, remove ", and for"

Page 1, remove line 17

Page 1, line 18, remove "Bond program"

Page 1, line 19, replace "Section" with "Subdivision a of subsection 1 of section"

Page 1, remove lines 21 through 23

Page 2, remove lines 1 through 6

Page 2, remove lines 12 through 31

Page 3, remove lines 1 through 31

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed unchanged: HB 1037, HB 1091, HB 1344, HB 1365, HCR 3044.

**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 Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Tuesday, February 24, 2009, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2040, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (21 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2040 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2047, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (13 YEAS, 10 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2047 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2069: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 10 NAYS, 3 ABSENT AND NOT VOTING). SB 2069 was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "~~Any fees collected~~"

Page 1, line 11, remove the overstrike over "~~under this paragraph which exceed~~", after "four" insert "six", and remove the overstrike over "~~hundred thousand dollars in~~"

Page 1, remove the overstrike over lines 12 and 13

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment retains the cap for filing fees placed in the civil legal services fund but increases the biennial cap from \$400,000 to \$600,000.

**REPORT OF STANDING COMMITTEE**

**SB 2198, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2198 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "and"

Page 1, line 5, remove "; and to provide an appropriation"

Page 4, remove lines 21 through 25

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment removes the \$864,000 general fund appropriation included in the bill.

**REPORT OF STANDING COMMITTEE**

**SB 2123, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (23 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2123 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2155, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (14 YEAS, 9 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2155 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2237, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (19 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2237 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2286: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (13 YEAS, 9 NAYS, 3 ABSENT AND NOT VOTING). SB 2286 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2358: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (12 YEAS, 11 NAYS, 2 ABSENT AND NOT VOTING). SB 2358 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2393, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (12 YEAS, 10 NAYS, 3 ABSENT AND NOT VOTING). Reengrossed SB 2393 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2396, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (14 YEAS, 9 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2396 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2412, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (18 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2412 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4018: Agriculture Committee (Rep. D. Johnson, 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). SCR 4018 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "components of" with "need for viable and" and replace "agriculture" with "agricultural practices"

Page 1, replace lines 6 through 21 with:

**"WHEREAS**, in order to accommodate the food needs of a growing world population, it will be important that agricultural producers having operations of all sizes and types explore ways to improve their management practices and focus on using inputs and resources in the most effective and efficient ways possible; and

**WHEREAS**, in order for present-day agricultural producers to leave a legacy of rich, fertile, and productive land to future generations, they should be encouraged to consider incorporating, in their production practices, both the latest scientific research findings and emerging technologies;

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That the Sixty-first Legislative Assembly recognizes that agricultural producers of all sizes and types should be encouraged to pursue effective and efficient practices, in order to ensure that agriculture remains viable and sustainable for multiple generations yet to come; and"

Renumber accordingly

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

**Buell J. Reich, Chief Clerk**