

JOURNAL OF THE HOUSE

Sixty-first Legislative Assembly

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Bismarck, April 16, 2009

The House convened at 8:00 a.m., with Speaker Monson presiding.

The prayer was offered by Pastor Dale Nabben, Missouri Slope Lutheran Care Center, Bismarck.

The roll was called and all members were present except Representatives Kempenich and Thorpe.

A quorum was declared by the Speaker.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. KEISER MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2059 and Engrossed SB 2110, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2059: Reps. Sukut, Ruby, Gruchalla

Engrossed SB 2110: Reps. Nottestad, N. Johnson, Amerman

SECOND READING OF SENATE BILL

SB 2009: A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association; to provide legislative intent; 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 76 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Delmore; Dosch; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Hofstad; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemm; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Sukut; Uglen; Vig; Vigesaa; Wald; Wall; Weiler; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Dahl; Damschen; DeKrey; Delzer; Drovdal; Headland; Heller; Kasper; Koppelman; Kreidt; Pollert; Skarphol; Svedjan; Thoreson; Weisz; Wieland

ABSENT AND NOT VOTING: Kempenich; Thorpe

Engrossed SB 2009, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4030: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to establishment and use of a legacy fund; 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 10 YEAS, 82 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Conrad; Delmore; Glassheim; Hawken; Holman; Johnson, N.; Kaldor; Martinson; Winrich; Wolf

NAYS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Headland; Heller; Hofstad; Hunsakor; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; 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; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kempenich; Thorpe

SCR 4030 lost.

SECOND READING OF SENATE BILL

SB 2442: A BILL for an Act to provide for a legislative council study of blue cross blue shield of North Dakota to determine whether legislative changes are appropriate to the laws relating to nonprofit mutual insurance companies.

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 31 YEAS, 61 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boucher; Conrad; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Holman; Hunsakor; Kaldor; Kelsh, J.; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Martinson; Meyer, S.; Mock; Mueller; Myxter; Nelson; Onstad; Potter; Schmidt; Schneider; Vig; Winrich; Wolf; Zaiser

NAYS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Grande; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Meier, L.; Metcalf; Nathe; Nottestad; Pietsch; Pinkerton; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Monson

ABSENT AND NOT VOTING: Kempenich; Thorpe

SB 2442 lost.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1286 as printed on HJ page 1176, which motion prevailed on a voice vote.

Engrossed HB 1286, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1286: A BILL for an Act to amend and reenact subsections 3 and 6 of section 61-04-01.1 of the North Dakota Century Code, relating to the definitions of domestic use and irrigation use.

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: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; 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; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kempenich; Thorpe

Reengrossed HB 1286 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1333 as printed on HJ page 940, which motion prevailed on a voice vote.

HB 1333 was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1333: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 27-20-03 of the North Dakota Century Code, relating to the jurisdiction of the juvenile court.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; 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.; Kelsh, S.; 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; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kempenich; Thorpe

Engrossed HB 1333 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1370 as printed on HJ pages 1242-1244, which motion prevailed on a voice vote.

Engrossed HB 1370, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1370: A BILL for an Act to create and enact a new section to chapter 38-18.1 of the North Dakota Century Code, relating to perfecting title to dormant minerals; and to amend and reenact sections 38-18.1-03, 38-18.1-04, 38-18.1-05, and 38-18.1-06 of the North Dakota Century Code, relating to termination of mineral interests.

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: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; 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.; Kelsh, S.; 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; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kempenich; Thorpe

Reengrossed HB 1370 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1459 as printed on HJ page 1008, which motion prevailed on a voice vote.

Engrossed HB 1459, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1459: A BILL for an Act to provide legislative findings and a declaration concerning lands around Lake Oahe managed by the army corps of engineers; to provide for the control or eradication of noxious weeds on publicly owned lands; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; 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; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Kelsh, S.; Kempenich; Thorpe

Reengrossed HB 1459 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1496 as printed on HJ page 1064, which motion prevailed on a voice vote.

Engrossed HB 1496, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1496: A BILL for an Act to create and enact a new section to title 36 of the North Dakota Century Code, relating to an equine assessment; to provide for an equine processing facility feasibility study; to create an advisory committee; to provide an appropriation; to provide a continuing appropriation; and to provide for legislative intent.

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 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Delmore; Kasper; Koppelman; Pinkerton; Thoreson

ABSENT AND NOT VOTING: Gruchalla; Kempenich; Thorpe

Reengrossed HB 1496 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1175 as printed on HJ page 1007, which motion prevailed on a voice vote.

Engrossed HB 1175, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1175: A BILL for an Act to create and enact a new section to chapter 26.1 and a new section to chapter 50-09 of the North Dakota Century Code, relating to child support enforcement; to amend and reenact subsection 5 of section 14-09-08.2, subsections 1, 2, and 9 of section 14-09-09.3, subsection 3 of section 14-09-09.10, subsections 4 and 5 of section 14-09-09.24, subsection 5 of section 14-09-09.33, subsections 9 and 10 of section 14-09-25, sections 20.1-01-26.1 and 34-15-06, subsection 1 of section 35-34-06, subsection 2 of section 50-09-02.1, subsections 1 and 5 of section 50-09-08.2, subsection 2 of section 50-09-14, and sections 50-09-36 and 50-24.1-02.1 of the North Dakota Century Code and section 12 of chapter 135 of the 2005 Session Laws, relating to child support enforcement; to provide for a task force on child support enforcement; to provide a penalty; 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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Ekstrom; Frantsvog; Froelich; 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.; Kelsh, S.; 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; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Delzer; Drovdal; Ruby

ABSENT AND NOT VOTING: Kempenich; Thorpe

Reengrossed HB 1175 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1112 as printed on HJ page 1272, which motion prevailed on a voice vote.

Engrossed HB 1112, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1112: A BILL for an Act to amend and reenact section 36-24-26 of the North Dakota Century Code, relating to penalties for violating meat inspection laws; 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 75 YEAS, 15 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Belter; Berg; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman;

Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Rust; Schmidt; Schneider; Skarphol; Sukut; Uglem; Vig; Vigesaa; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Zaiser

NAYS: Bellew; Boehning; Delzer; Dosch; Heller; Kasper; Kreidt; Meier, L.; Nottestad; Ruby; Schatz; Thoreson; Wald; Weiler; Wrangham

ABSENT AND NOT VOTING: Kempenich; Svedjan; Thorpe; Speaker Monson

Reengrossed HB 1112 passed and the title was agreed to.

MOTION

REP. VIGESAA MOVED that the House stand in recess until 12:30 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Monson presiding.

REPORT OF STANDING COMMITTEE

SCR 4036: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4036 was placed on the Tenth order on the calendar.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to Engrossed HB 1418 as printed on HJ page 1352, which motion prevailed on a voice vote.

Engrossed HB 1418, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1418: A BILL for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota Century Code, relating to early childhood care workforce development, child care capacity, and quality improvement for early childhood facilities; and to provide an 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 77 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; DeKrey; Delmore; Dosch; Ekstrom; Frantsvog; Froelich; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Schatz; Schmidt; Schneider; Sukut; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Zaiser; Speaker Monson

NAYS: Bellew; Belter; Damschen; Delzer; Drovdal; Froseth; Heller; Nathe; Pollert; Ruby; Rust; Skarphol; Svedjan; Weiler; Wrangham

ABSENT AND NOT VOTING: Berg; Kempenich

Reengrossed HB 1418 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1487 as printed on HJ page 1269, which motion prevailed on a voice vote.

Engrossed HB 1487, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1487: A BILL for an Act relating to the receipt of federal economic stimulus or fiscal relief funding; 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 70 YEAS, 22 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Belter; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Delzer; Dosch; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Gruchalla; Hanson; Hawken; Headland; Heller; Hofstad; Holman; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kroeber; Martinson; Meier, L.; Meyer, S.; Myxter; Nathe; Nelson; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Rust; Schatz; Schmidt; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Monson

NAYS: Amerman; Bellew; Conrad; Dahl; Damschen; DeKrey; Delmore; Drovdal; Griffin; Hatlestad; Hunskor; Kilichowski; Kretschmar; Metcalf; Mock; Mueller; Nottestad; Ruby; Schneider; Vig; Weisz; Wolf

ABSENT AND NOT VOTING: Berg; Kempenich

Reengrossed HB 1487 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1543 as printed on HJ pages 1008-1009, which motion prevailed on a voice vote.

Engrossed HB 1543, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1543: A BILL for an Act to create and enact a new section to chapter 44-08 of the North Dakota Century Code, relating to the procurement of North Dakota food products; and to provide for a report to the legislative council regarding the procurement of North Dakota food products.

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 37 YEAS, 55 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boucher; Conklin; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Holman; Hunskor; Johnson, D.; Kaldor; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kingsbury; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Onstad; Pinkerton; Schmidt; Schneider; Thorpe; Vig; Winrich; Wolf; Zaiser

NAYS: Bellew; Belter; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Dosch; Drovdal; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Nathe; Nottestad; Pietsch; Pollert; Porter; Potter; Ruby; Rust; Schatz; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Monson

ABSENT AND NOT VOTING: Berg; Kempenich

Reengrossed HB 1543 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1549 as printed on HJ page 859, which motion prevailed on a voice vote.

Engrossed HB 1549, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1549: A BILL for an Act to amend and reenact section 4-41-02 of the North Dakota Century Code, relating to industrial hemp; 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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Belter; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; 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.; Kelsh, S.; 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; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

NAYS: Bellew; Delzer; Thoreson

ABSENT AND NOT VOTING: Berg; Kempenich

Reengrossed HB 1549 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HCR 3014 as printed on HJ page 1090, which motion prevailed on a voice vote.

Engrossed HCR 3014, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3014: A concurrent resolution urging Congress not to replace "navigable water" with "waters of the United States" in any Clean Water Act-related legislation considered by Congress.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Gruchalla; Mock

ABSENT AND NOT VOTING: Berg; Kempenich

Reengrossed HCR 3014 was declared adopted and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do not concur in the Senate amendments to Engrossed HB 1012 as printed on HJ pages 1470-1477 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1012: Reps. Pollert, Bellew, Ekstrom.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KEISER MOVED that the conference committee report on HB 1202 as printed on HJ pages 939-940 be adopted, which motion prevailed on a voice vote.

HB 1202, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1202: A BILL for an Act to create and enact a new section to chapter 10-30.5 of the North Dakota Century Code, relating to entrepreneurship awards; to amend and reenact sections 6-09-15 and 10-30.5-04 and subdivision b of subsection 2 of section 54-60.1-01 of the North Dakota Century Code, relating to the Bank of North Dakota and North Dakota development fund, incorporated, use of funds for entrepreneurship awards; and to provide an expiration 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; 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.; Kelsh, S.; 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; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Berg; Kempenich

Engrossed HB 1202 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. WEISZ MOVED that the conference committee report on HB 1329 as printed on HJ pages 0956-0957, which motion prevailed on a voice vote.

HB 1329, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1329: A BILL for an Act to create and enact a new subsection to section 14-09-09.3 of the North Dakota Century Code, relating to the duties and liabilities of an income payer; to amend and reenact section 14-09-09.7 of the North Dakota Century Code, relating to the child support guidelines; and to provide an agency directive.

ROLL CALL

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

YEAS: Amerman; Bellew; Belter; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; 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.; Kelsh, S.; 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; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Berg; Kempenich

Engrossed HB 1329 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KEISER MOVED that the conference committee report on Engrossed HB 1301 as printed on HJ pages 1087-1089 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1301, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1301: A BILL for an Act to create and enact sections 39-05-35 and 47-10-26 of the North Dakota Century Code, relating to the conversion of manufactured homes to real property and the affixation of manufactured homes to real property and the conveyance and encumbrance of manufactured homes as real property; and to amend and reenact sections 11-18-02.2, 35-01-05.1, 39-05-01, 39-05-02.2, 39-05-09, 39-05-09.2, 39-05-19, 39-05-20, 39-05-22, 47-01-03, 57-02-04, and 57-55-01 and subsection 2 of section 57-55-10 of the North Dakota Century Code, relating to manufactured homes.

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: Amerman; Bellew; Belter; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; 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.; Kelsh, S.; 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; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Berg; Kempenich

Reengrossed HB 1301 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. DEKREY MOVED that the conference committee report on Engrossed HB 1308 as printed on HJ page 1086 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1308, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1308: A BILL for an Act to amend and reenact subsection 2 of section 51-33-04 of the North Dakota Century Code, relating to temporary lifting of a security freeze; 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: Amerman; Bellew; Belter; Boe; Boehning; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; 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.; Kelsh, S.; 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; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

ABSENT AND NOT VOTING: Berg; Kempenich

Reengrossed HB 1308 passed, the title was agreed to, and the emergency clause was declared carried.

**SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT
CALENDAR**

SCR 4034: A concurrent resolution urging the Secretary of the Treasury to authorize the placement of the image of President Theodore Roosevelt on the obverse of the quarters in the national parks quarter dollar series.

SCR 4035: A concurrent resolution urging Congress to establish the Red River Valley Authority as an agency or authorized board of the federal government for the purpose of the regulation and control of water quality of the Red River and regulation and control of the retention and flow of water, including retention by dams or retention ponds or other areas, and of drainage on the Red River.

SCR 4036: A concurrent resolution urging the United States Department of Agriculture to implement livestock indemnity program regulations that account for the fair market value of newborn calves and their cost of production.

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

SCR 4034, SCR 4035, and SCR 4036 were declared adopted on a voice vote, and the titles were agreed to.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1162.

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

MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2059: Reps. Sukut; Ruby; Gruchalla

SB 2110: Reps. Nottestad; N. Johnson; Amerman

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1112, HB 1175, HB 1286, HB 1333, HB 1370, HB 1459, and HB 1496.

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 2009.

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

MR. PRESIDENT: The House has amended and subsequently failed to pass: SCR 4030.

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

MR. PRESIDENT: The House has failed to pass unchanged: SB 2442.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1012 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1012: Reps. Pollert; Bellew; Ekstrom

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently failed to pass: HB 1543.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1418, HB 1487, HB 1549, and HCR 3014.

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

MR. PRESIDENT: The House has amended and subsequently passed: SCR 4035.

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

MR. PRESIDENT: The House has passed unchanged: SCR 4034, SCR 4036.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently failed to pass: HB 1543.

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

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1001: Sens. Holmberg; Kilzer; Mathern
HB 1002: Sens. Krebsbach; Kilzer; Warner
HB 1003: Sens. Kilzer; Holmberg; Warner
HB 1004: Sens. Wardner; Bowman; Krauter
HB 1005: Sens. Fischer; Grindberg; Robinson
HB 1006: Sens. Wardner; Bowman; Krauter
HB 1007: Sens. Christmann; Kilzer; Krauter
HB 1008: Sens. Christmann; Kilzer; Warner
HB 1009: Sens. Bowman; Fischer; Krauter
HB 1010: Sens. Grindberg; Wardner; Krauter
HB 1011: Sens. Bowman; Krebsbach; Mathern
HB 1013: Sens. Holmberg; Wardner; Robinson
HB 1014: Sens. Grindberg; Krebsbach; Seymour
HB 1016: Sens. Grindberg; Wardner; Lindaas
HB 1017: Sens. Christmann; Grindberg; Krauter
HB 1019: Sens. Krebsbach; Bowman; Seymour
HB 1021: Sens. Wardner; Krebsbach; Lindaas
HB 1022: Sens. Krebsbach; Wardner; Seymour
HB 1040: Sens. Nething; Lyson; Fiebiger
HB 1116: Sens. J. Lee; Erbele; Marcellais

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

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1053: Sens. Olafson; Andrist; Bakke
HB 1057: Sens. Dever; Cook; Horne
HB 1073: Sens. Klein; Nodland; Horne
HB 1216: Sens. Lyson; Freborg; Schneider
HB 1269: Sens. Dever; J. Lee; Pomeroy
HB 1305: Sens. Fischer; Holmberg; Lindaas
HB 1377: Sens. Fischer; Holmberg; Robinson
HB 1412: Sens. Cook; Miller; Anderson
HB 1436: Sens. Cook; Dever; Horne
HB 1481: Sens. Grindberg; Fischer; Krauter
HB 1489: Sens. Oehlke; Miller; Dotzenrod
HB 1490: Sens. Dever; Oehlke; Nelson
HB 1509: Sens. Hogue; Erbele; Schneider
HB 1510: Sens. Wanzek; Nodland; Horne
HB 1554: Sens. Cook; Dever; Nelson
HCR3019: Sens. Hogue; Oehlke; Triplett
HCR3054: Sens. Hogue; Oehlke; Triplett

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

MR. SPEAKER: The President has appointed Sen. Fischer to replace Sen. Holmberg on the Conference Committee on SB 2010.

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

MR. SPEAKER: The President has appointed Sen. Lindaas to replace Sen. Seymour on the Conference Committee on SB 2010.

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

MR. SPEAKER: The Senate concurred in the House amendments and passed: SB 2041, SB 2121, and SCR 4021.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1112, HB 1175, HB 1286, HB 1333, HB 1370, HB 1459, HB 1496.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2001, SB 2002, SB 2003, SB 2006, SB 2008, SB 2011, SB 2013, SB 2015, SB 2017, SB 2020, SB 2021,

SB 2023, SB 2030, SB 2075, SB 2162, SB 2225, SB 2332, and SB 2333 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2001: Sens. Christmann; Holmberg; Seymour
SB 2002: Sens. Christmann; Kilzer; Warner
SB 2003: Sens. Holmberg; Krebsbach; Robinson
SB 2006: Sens. Krebsbach; Bowman; Seymour
SB 2008: Sens. Krebsbach; Bowman; Seymour
SB 2011: Sens. Wardner; Krebsbach; Warner
SB 2013: Sens. Wardner; Grindberg; Mathern
SB 2015: Sens. Fischer; Christmann; Krauter
SB 2017: Sens. Wardner; Holmberg; Seymour
SB 2020: Sens. Bowman; Holmberg; Lindaas
SB 2021: Sens. Christmann; Fischer; Robinson
SB 2023: Sens. Christmann; Kilzer; Warner
SB 2030: Sens. Grindberg; Krebsbach; Krauter
SB 2075: Sens. Kilzer; Bowman; Mathern
SB 2162: Sens. Dever; Erbele; Pomeroy
SB 2225: Sens. Erbele; Dever; Heckaman
SB 2332: Sens. Dever; J. Lee; Robinson
SB 2333: Sens. J. Lee; Krebsbach; Heckaman

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2014, SB 2024, and SB 2038 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2014: Sens. Wardner; Christmann; Krauter
SB 2024: Sens. Fischer; Grindberg; Seymour
SB 2038: Sens. Flakoll; G. Lee; Bakke

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

MR. SPEAKER: The Senate has concurred in the House amendments and passed: SB 2129, SB 2191, SB 2234, and SB 2256.

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

MR. SPEAKER: The President has signed: HB 1074, HB 1082, HB 1166, HB 1204, HB 1237, HB 1238, HB 1266, HB 1342, HB 1361, HB 1391, HB 1392, HB 1401, HB 1433, HB 1438, HB 1448, HB 1458, HB 1461, HB 1472, HB 1514, HB 1534, HB 1561, HB 1573, HB 1577, HCR 3021, HCR 3030, HCR 3039, HCR 3045, HCR 3065.

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

MR. SPEAKER: The President has appointed Sen. Heckaman to replace Sen. Marcellais on the Conference Committee on SB 2097.

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

MR. SPEAKER: The President has appointed Sen. Wardner to replace Sen. Bowman on the Conference Committee on SB 2007.

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

MR. SPEAKER: The President has appointed Sen. Pomeroy to replace Sen. Marcellais on the Conference Committee on HB 1437.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2035, SB 2040, SB 2041, SB 2042, SB 2089, SB 2090, SB 2099, SB 2112, SB 2121, SB 2216, SB 2222, SB 2224, SB 2239, SB 2247, SB 2305, SB 2317, SB 2342, SB 2350, SB 2352, SB 2394, SB 2404, SB 2413, SB 2417, SB 2431, SB 2432, SB 2433, SCR 4008, SCR 4016, SCR 4020, SCR 4021.

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, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Friday, April 17, 2009, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1129, as engrossed: Your conference committee (Sens. Andrist, Olafson, Dotzenrod and Reps. Koppelman, Pietsch, J. Kelsh) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 888-889, adopt further amendments as follows, and place HB 1129 on the Seventh order:

That the Senate recede from its amendments as printed on pages 888 and 889 of the House Journal and pages 673 and 674 of the Senate Journal and that Engrossed House Bill No. 1129 be amended as follows:

Page 1, line 2, remove "and"

Page 1, line 3, after "counties" insert "; to provide for a legislative council study; and to declare an emergency"

Page 2, line 14, overstrike "three" and insert immediately thereafter "five"

Page 4, after line 2, insert:

"SECTION 4. LEGISLATIVE COUNCIL STUDY - AUDITS OF POLITICAL SUBDIVISIONS. During the 2009-10 interim, the legislative council shall study the structure and requirements of the state auditor's office necessary to carry out its auditing of political subdivisions, as required by law, including how such audits should be adequately self-funded. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-second legislative assembly.

SECTION 5. EMERGENCY. This Act is declared to be an emergency measure."

ReNUMBER accordingly

Engrossed HB 1129 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1145, as engrossed: Your conference committee (Sens. Dever, Erbele, Heckaman and Reps. Hofstad, Frantsvog, Kilichowski) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 888 and place HB 1145 on the Seventh order.

Engrossed HB 1145 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1158, as engrossed: Your conference committee (Sens. Olafson, Nething, Schneider and Reps. Kingsbury, Griffin, Boehning) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 805-805, adopt further amendments as follows, and place HB 1158 on the Seventh order:

That the Senate recede from its amendments as printed on page 805 of the House Journal and pages 596 and 597 of the Senate Journal and that Engrossed House Bill No. 1158 be amended as follows:

Page 1, line 1, remove "subsection 1 of"

Page 1, line 5, replace "Subsection 1 of section" with "Section"

Page 1, after line 6, insert:

"26.1-40-18. Automobile warranties construed."

Page 1, after line 10, insert:

"2. The policy must be issued by an insurer licensed, registered, or otherwise authorized to do business in this state. From the time the policy is filed with the commissioner:

a. The insurer shall maintain surplus as to policyholders and paid-in capital of at least fifteen million dollars and annually file copies of the insurer's audited financial statements, the national association of insurance commissioners annual statement, and the actuarial certification required by and filed in the insurer's state of domicile; or

- b. The insurer shall maintain surplus as to policyholders and paid-in capital of between fifteen million dollars and ten million dollars, demonstrate to the satisfaction of the commissioner that the company maintains a ratio of net written premiums, wherever written, to surplus as to policyholders and paid-in capital of not greater than three to one, and annually file copies of the insurer's audited financial statements, the national association of insurance commissioners annual statement, and the actuarial certification required by and filed in the insurer's state of domicile.

3. This section does not apply to an original equipment manufacturer."

Renumber accordingly

Engrossed HB 1158 was placed on the Seventh order of business on the calendar.

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

Buell J. Reich, Chief Clerk

