

JOURNAL OF THE HOUSE

Sixtieth Legislative Assembly

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Bismarck, January 24, 2007

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

The prayer was offered by Pastor Doug Wyatt, First Nazarene Church, Mandan.

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

A quorum was declared by the Speaker.

MOTION

REP. MONSON MOVED that HB 1127, which is on the Sixth order, be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, HB 1127 was rereferred.

SIXTH ORDER OF BUSINESS

SPEAKER DELZER DEEMED approval of the amendments to HB 1137, HB 1293 and HB 1313.

HB 1137, HB 1293 and HB 1313, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1052: A BILL for an Act to amend and reenact subsections 1, 2, 5, and 9 of section 43-29-01.1, subsection 1 of section 43-29-07, subsections 1, 2, and 3 of section 43-29-07.2, subsection 11 of section 43-29-13, and subsection 1 of section 43-29-14 of the North Dakota Century Code, relating to the licensure of veterinarians.

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

ABSENT AND NOT VOTING: Conrad; Zaiser

HB 1052 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1081: A BILL for an Act to amend and reenact section 15.1-07-20 of the North Dakota Century Code, relating to requirements for drivers of schoolbuses and school vehicles.

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: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson;

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

ABSENT AND NOT VOTING: Conrad; Zaiser

HB 1081 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1105: A BILL for an Act to create and enact section 24-02-17.1 of the North Dakota Century Code, relating to design-build contracts for highway or bridge projects; to provide for a report to the legislative assembly; and to provide for an expiration date.

ROLL CALL

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

YEAS: Damschen; DeKrey; Froelich; Glassheim; Gruchalla; Hatlestad; Herbel; Kaldor; Karls; Kempenich; Klein; Metcalf; Mueller; Nottestad; Owens; Pollert; Ruby; Schneider; Sukut; Thorpe; Weisz

NAYS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Grande; Griffin; Gullerson; Haas; Hanson; Hawken; Headland; Heller; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Myxter; Nelson; Onstad; Pietsch; Pinkerton; Porter; Potter; Price; Schmidt; Skarphol; Solberg; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wolf; Wrangham

ABSENT AND NOT VOTING: Conrad; Zaiser; Speaker Delzer

HB 1105 lost.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1054, HB 1157, HB 1172, HB 1183, HB 1205, HB 1224, HB 1228, HB 1231, HB 1232, HB 1236, HB 1266, HB 1289, HB 1304, HB 1311, HB 1318, HCR 3003.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1040.

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

MR. SPEAKER: The President has signed: HB 1040.

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

MR. PRESIDENT: The Speaker has signed: HB 1040.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on January 24, 2007: HB 1040.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, January 25, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1165: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1165 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1186: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1186 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1187: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1187 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1210: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1210 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1216: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1216 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1303: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1303 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "prevails" with "must be considered in conjunction with"

Page 1, line 17, remove "over"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1330: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1330 was referred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1332: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1332 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1348: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1348 was placed on the Sixth order on the calendar.

Page 1, line 6, overstrike "two percent" and remove the underscored comma

Page 1, line 7, remove "but not exceeding" and remove the underscored comma

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1405: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1405 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Ekstrom, Klein, Wald and Sens. Bakke, Grindberg, Horne introduced:

HCR 3025: A concurrent resolution directing the Legislative Council to study possible methods of growing North Dakota's population and increasing the available workforce in the state.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

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

Buell J. Reich, Chief Clerk