

## JOURNAL OF THE HOUSE

## Sixty-first Legislative Assembly

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Bismarck, March 16, 2009

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

The prayer was offered by Father James Ermer, St. Anthony of Padua Catholic Church, Fargo.

The roll was called and all members were present except Representative Svedjan.

A quorum was declared by the Speaker.

## MOTION

**REP. VIGESAA MOVED** that a committee of two be appointed to escort Miss North Dakota Outstanding Teen, Ariana Walker, to the podium, which motion prevailed. Speaker Monson appointed Reps. Martinson and Karls to the escort committee.

**REMARKS OF ARIANA WALKER, MISS NORTH DAKOTA OUTSTANDING TEEN**

Good afternoon ladies and gentlemen of the legislature! I am so grateful to have the opportunity to speak to you today, not just as Miss North Dakota's Outstanding Teen, but as a teenager concerned about the issues facing youth today.

So, despite the crown and sash, please do keep in mind that I am just a teenager who happens to have a passion for her community and platform.

My past years participating in pageants have been nothing short of amazing. Just this year, I have helped raise funds for the Make a Wish Foundation and The Children's Miracle Network. During the summer, I kept myself busy as a volunteer at the Buddy Walk for Downs Syndrome and the Dakota Kid's Cancer Ride Race for a Cure. I also had the pleasure of speaking at numerous Charles Hall benefits, including being their guest speaker at the annual Angel's Tea.

Through my journeys I have met some of the most influential and inspiring members of this community and for that I am truly blessed.

I am here today to briefly address some of the youth issues I know have come up during this session and have personally caught my attention. In one month, I will be 18. At this point, I can look back and say I have learned a few things.

First, 14 was way too young to start driving. In fact, in most states you can't drive until you are 16, which I believe to be a more mature age. In a report filed last year, the ND Department of Transportation said drivers 17 and younger accounted for 21% of fatal crashes in the past 6 years. Sure, when I was 14 I would do anything to get behind the wheel, but that didn't mean that I was ready. Truth be told, I made my fair share of mistakes during my first year with my license.

Plus, with cell phones and ipods becoming more common, teens can get distracted. Even I catch myself texting at a stoplight or shuffling through songs between stop signs. As much of a convenience as these technologies have become, they have proven time and time again to be hazardous on the roads, especially when streets are as icy as they have been this winter.

These issues, though very important, are not the reason I stand before you today with the title I presently have. Two years ago, I spoke at the Capitol for the 25th Anniversary of Students Against Destructive Decisions.

Last year I served on a Town Hall Meeting panel with Attorney General Wayne Stenehjem and First Lady Mikey Hoeven. This year, I have and will continue to speak at local middle schools addressing the issue that has North Dakota ranked #1 in the nation since 2005.

This issue, and my platform, is underage binge drinking.

Over the past 3 years, I have found that choosing my friends carefully is one way to avoid alcohol in middle school and high school. Keeping busy with classes, school activities, church and a job make it easier to say "no" to drugs and alcohol.

But there is no "magic bullet" or easy way around it. Research shows that it's a combination of things, such as: education, self-esteem, parental support, and involvement with friends, school, church and community that make the difference.

Unfortunately, parent involvement can have a negative effect. A majority of teenagers will tell you that it's easy to obtain alcohol from parents, whether they are providing it to the minors or the minors are stealing it from open liquor cabinets. They would also tell you that it is not hard to find a place to go where parents are either willingly hosting a party or unaware the behavior is taking place.

Recently, during WDA basketball weekend, 35 adults and 11 juveniles were arrested. Most of the charges were "delivery of alcohol to minors" or "minor in possession or consumption."

I'm shocked at how many parents don't check up on their teenagers when they aren't at home. And calling kids on their cell phones is ridiculous; they could be anywhere doing anything! Here is another case where cell phones, though convenient, can be dangerous.

I would like to ask you to please keep this important issue in mind when dealing with matters of underage and binge drinking this legislative session.

Alcohol is dangerous, and binge drinking can lead to death.

It is all too common that today's youth associate parties with alcohol, and as Miss North Dakota's Outstanding Teen, I am always working to change that. I'm not perfect, but by speaking with middle school students, my goal is to stop binge drinking before it starts.

Thank you so much for your time and for allowing me to be a part of this Legislative Assembly.

I commend you all on the great work you are doing for the State of North Dakota.

It has been an honor and a blessing being here today. Thank you.

#### **MOTION**

**REP. VIGESAA MOVED** that the remarks of Ariana Walker be printed in the journal, which motion prevailed.

#### **SIXTH ORDER OF BUSINESS**

**SPEAKER MONSON DEEMED** approval of the amendments to Engrossed SB 2035, Reengrossed SB 2062, Engrossed SB 2064, SB 2131, SB 2201, Engrossed SB 2224, Reengrossed SB 2228, Engrossed SB 2316, SB 2352, Engrossed SB 2413, and Engrossed SB 2417.

Reengrossed SB 2062, Engrossed SB 2064, SB 2201, and Reengrossed SB 2228, as amended, were rereferred to the **Appropriations Committee**.

Engrossed SB 2035, SB 2131, Engrossed SB 2224, Engrossed SB 2316, SB 2352, Engrossed SB 2413, and Engrossed SB 2417, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### **COMMUNICATION FROM GOVERNOR JOHN HOEVEN**

This is to inform you that on March 13, 2009, I have signed the following: HB 1369.

#### **MOTION**

**REP. VIGESAA MOVED** that the rules be suspended according to Rule 329 for SB 2283, which motion prevailed.

#### **SECOND READING OF SENATE BILL**

**SB 2405:** A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to income tax treatment of the domestic reduction activities deduction for marketing cooperatives; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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.; Kempenich; 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; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Svedjan

Engrossed SB 2405, as amended, passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2168:** A BILL for an Act to create and enact section 23-01-05.5 of the North Dakota Century Code, relating to the confidentiality of autopsy reports; to amend and reenact sections 11-19.1-01, 11-19.1-03, 11-19.1-04, 11-19.1-06, 11-19.1-07, 11-19.1-08, 11-19.1-10, 11-19.1-11, 11-19.1-13, 11-19.1-15, 11-19.1-17, 11-19.1-18, 11-19.1-19, 11-19.1-20, and 23-01-05.4 of the North Dakota Century Code, relating to the powers and duties of the coroner and state forensic examiner; to repeal chapter 11-19 and section 11-19.1-05 of the North Dakota Century Code, relating to the county coroner and the appointment of an assistant coroner; 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 71 YEAS, 22 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Berg; Boe; Boehning; Boucher; Carlson; Conklin; Conrad; Dahl; Damschen; Delmore; Ekstrom; Frantsvog; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Rust; Schmidt; Schneider; Sukut; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Winrich; Wolf; Zaiser

**NAYS:** Bellew; Belter; Brandenburg; Clark; DeKrey; Delzer; Dosch; Drovdal; Froelich; Froseth; Headland; Kasper; Kempenich; Kerzman; Pollert; Ruby; Schatz; Skarphol; Thoreson; Weisz; Wrangham; Speaker Monson

**ABSENT AND NOT VOTING:** Svedjan

Engrossed SB 2168, as amended, passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2157:** A BILL for an Act to create and enact a new section to chapter 14-10 of the North Dakota Century Code, relating to voluntary blood donation by minors.

#### 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, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Berg; Boe; Boehning; Boucher; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; 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; Pinkerton; Porter; Potter; Rust; Schmidt; Schneider; Sukut; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Bellew; Belter; Brandenburg; Carlson; Delzer; Dosch; Grande; Headland; Kasper; Kempenich; Koppelman; Pollert; Ruby; Schatz; Skarphol; Thoreson; Weiler

**ABSENT AND NOT VOTING:** Svedjan

SB 2157, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2380:** A BILL for an Act to create and enact a new subsection to section 26.1-34.2-03; and to amend and reenact subsection 5 of section 26.1-34.2-03 of the North Dakota Century Code, relating to registered annuities.

**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; 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.; Kempenich; 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; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Conklin; Svedjan

Engrossed SB 2380 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2274:** A BILL for an Act to amend and reenact section 26.1-36-44 of the North Dakota Century Code, relating to health insurance independent external reviews requested by providers.

**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, 1 NAYS, 0 EXCUSED, 1 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; 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.; Kempenich; 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; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Froelich

**ABSENT AND NOT VOTING:** Svedjan

SB 2274 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2141:** A BILL for an Act to create and enact chapter 38-11.2 of the North Dakota Century Code, relating to damages to land surface caused by subsurface mineral extraction and related exploration; to provide for a legislative council study; and to provide for 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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.; Kempenich; 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; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Svedjan

Engrossed SB 2141, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2153:** A BILL for an Act to create and enact a new subsection to section 39-03.1-09, a new subdivision to subsection 9 of section 39-03.1-11, a new subsection to section 54-52-05, and a new subdivision to subsection 9 of section 54-52-17 of the North Dakota Century Code, relating to payment of employee contributions and retirement benefits under the highway patrolmen's retirement plan and the public employees retirement system; to amend and reenact subsection 1 of section 21-10-01, section 39-03.1-08.2, subdivision a of subsection 1 of section 39-03.1-10.1, section 39-03.1-11.2, subsection 4 of section 54-52-03, subsections 6 and 7 of section 54-52-17, section 54-52-28, subsection 7 of section 54-52.1-03, and section 54-52.1-03.4 of the North Dakota Century Code, relating to membership of the state investment board, purchase of service credit, member refunds, Internal Revenue Code compliance, and board elections under the highway patrolmen's retirement plan and the public employees retirement system, and participation and employer payments under the uniform group insurance program; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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.; Kempenich; 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; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Svedjan

SB 2153 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2217:** A BILL for an Act to amend and reenact section 15.1-20-03 of the North Dakota Century Code, relating to compulsory school attendance; to provide for a legislative council report; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 75 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Berg; Boe; Boucher; Carlson; Clark; Conklin; Conrad; Dahl; Delmore; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Thoreson; Uglem; Vig; Vigesaa; Wall; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**NAYS:** Bellew; Boehning; Brandenburg; Damschen; DeKrey; Delzer; Froseth; Grande; Headland; Kasper; Kilichowski; Klein; Pinkerton; Ruby; Thorpe; Wald; Weiler; Weisz

**ABSENT AND NOT VOTING:** Svedjan

Engrossed SB 2217 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2259:** A BILL for an Act to amend and reenact subsection 5 of section 44-04-18 of the North Dakota Century Code, relating to authority to establish procedures for providing access from an outside location to computer databases or electronically stored information.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boe; Boucher; Brandenburg; Carlson; Clark; Conklin; Conrad; Dahl; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Frantsvog; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; 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; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Boehning; Headland; Kreidt; Svedjan; Wrangham

SB 2259 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2309:** A BILL for an Act to provide for a study of linking and improving public sites along the Sibley and Sully historic trails for historical education, heritage tourism, and access for public hunting.

**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 51 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Berg; Boe; Boucher; Conklin; Conrad; DeKrey; Delmore; Ekstrom; Frantsvog; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Headland; Holman; Hunskor; Johnson, N.; Kaldor; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Klemin; Koppelman; Kretschmar; Kroeber; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Wall; Williams; Winrich; Wolf; Wrangham; Zaiser

**NAYS:** Bellew; Belter; Boehning; Brandenburg; Carlson; Clark; Dahl; Damschen; Delzer; Dosch; Drovdal; Froseth; Grande; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Kreidt; Martinson; Meier, L.; Nathe; Pollert; Porter; Ruby; Rust; Schatz; Skarphol; Sukut; Thoreson; Uglem; Vigesaa; Wald; Weiler; Weisz; Wieland; Speaker Monson

**ABSENT AND NOT VOTING:** Svedjan

SB 2309 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2313:** A BILL for an Act to amend and reenact section 39-04-10.4 of the North Dakota Century Code, relating to military identification numbers on antique military 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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.; Kempenich; 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; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Svedjan

SB 2313 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2321:** A BILL for an Act to amend and reenact sections 60-02.1-41 and 60-10-16 of the North Dakota Century Code, relating to roving grain buyers.

#### 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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.; Kempenich; 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; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser; Speaker Monson

**ABSENT AND NOT VOTING:** Svedjan

SB 2321 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2329:** A BILL for an Act to provide for an appropriation and transfer for creating geographic information system-based maps or overlays; and to provide an appropriation to the state historical society for the purpose of coordinating the mapping project.

**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 41 YEAS, 52 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boucher; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Holman; Hunskor; Johnson, N.; Kaldor; Karls; Kelsh, J.; Kelsh, S.; Kerzman; Kilichowski; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nelson; Nottestad; Onstad; Pinkerton; Potter; Schmidt; Schneider; Thorpe; Vig; Williams; Winrich; Wolf; Zaiser

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

**ABSENT AND NOT VOTING:** Svedjan

Engrossed SB 2329 lost.

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**SECOND READING OF SENATE BILL**

**SB 2349:** A BILL for an Act to amend and reenact section 39-10.1-05 of the North Dakota Century Code, relating to the operation of bicycles.

**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 78 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Berg; Boe; Boucher; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Froelich; Glassheim; Grande; Griffin; Gruchalla; Hanson; Hawken; Headland; Heller; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kerzman; Kilichowski; Kingsbury; Klemm; Koppelman; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Myxter; Nathe; Nelson; Nottestad; Onstad; Pietsch; Pinkerton; Porter; Potter; Ruby; Rust; Schatz; Schmidt; Schneider; Skarphol; Sukut; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wolf; Wrangham; Zaiser

**NAYS:** Boehning; Brandenburg; Conrad; Delzer; Frantsvog; Froseth; Hatlestad; Holman; Kasper; Keiser; Klein; Kreidt; Pollert; Wald; Speaker Monson

**ABSENT AND NOT VOTING:** Svedjan

SB 2349 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2354:** A BILL for an Act to amend and reenact section 54-21.3-03 of the North Dakota Century Code, relating to the state and local building codes.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Ekstrom; Kelsh, S.

**ABSENT AND NOT VOTING:** Svedjan

SB 2354 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:** Your signature is respectfully requested on: HB 1084, HB 1137, HB 1201, HB 1205, HB 1300, HB 1353, HB 1430, HB 1500.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2281.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2081, SB 2163, SB 2172.

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

**MR. PRESIDENT:** The House has failed to pass unchanged: SB 2294, SB 2306, SB 2428.

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

**MR. PRESIDENT:** The House has passed unchanged: SB 2209, SB 2210, SB 2211, SB 2233, SB 2253, SB 2282, SB 2298, SB 2300, SB 2328, SB 2422.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1202, HB 1229, HB 1333, HB 1392, HB 1435.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1202**

Page 1, line 9, overstrike "**(Effective through July 31,**", remove "2015", and overstrike the closing boldfaced parenthesis

Page 4, line 5, overstrike "**(Effective after July 31,**", remove "2015", and overstrike ") **Powers.**  
The Bank of North Dakota may:"

Page 4, overstrike lines 6 through 31

Page 5, overstrike lines 1 through 30

Page 6, overstrike lines 1 through 11

Page 6, line 14, overstrike "**(Effective through July 31,**", remove "2015", and overstrike the closing boldfaced parenthesis

Page 6, line 19, after the period insert "The funds for the entrepreneurship awards under section 3 of this Act may not exceed one million dollars."

Page 6, line 20, remove "Receive" and overstrike "funds not to exceed ten million dollars from the Bank of North"

Page 6, line 21, overstrike "Dakota", remove "under subdivision c of subsection 4 of section 6-09-15,", and overstrike "for the purpose of"

Page 6, line 22, overstrike "investing in North Dakota alternative and venture capital investments" and remove the underscored comma

Page 6, line 23, overstrike "early-stage capital funds" and remove ", and entrepreneurship awards under section 3 of this Act."

Page 6, line 24, remove "The funds for the entrepreneurship awards may not exceed one million dollars" and overstrike the period

Page 6, line 25, overstrike "The corporation may provide" and insert immediately thereafter "Provide"

Page 6, line 27, overstrike "**(Effective after July 31,**", remove "**2015**", and overstrike "**) Powers.** The corporation must be organized as a"

Page 6, overstrike lines 28 through 31

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1229**

Page 3, line 25, after the underscored period insert "However, the rights of a prior listed lienholder are not affected by this transfer and the department may not remove a prior lienholder in this transfer of title without a release from the lienholder."

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE BILL NO. 1333**

Page 1, line 6, after "under" insert "chapter 19-03.1 or"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1392**

Page 1, line 22, remove "retroactively" and replace "to include all" with "for"

Page 1, line 23, replace "2007" with "2008"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1435**

Page 1, line 14, remove "including:"

Page 1, remove lines 15 through 17

Page 1, line 18, remove "(2) Two and one-half additional social studies units," and overstrike "which may include"

Page 1, overstrike line 19

Page 1, line 20, overstrike "studies" and insert immediately thereafter "including:"

- (1) One unit of United States history;
- (2) (a) One-half unit of United States government and one-half unit of economics, with a requirement that each student read the Declaration of Independence, the United States Constitution, and the Bill of Rights; or
- (b) One unit of problems of democracy, with a requirement that each student read the Declaration of Independence, the United States Constitution, and the Bill of Rights; and
- (3) One unit or two one-half units of any other social studies, which may include civics, civilization, geography and history, multicultural studies, North Dakota studies, psychology, sociology, and world history"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has passed unchanged: HB 1025, HB 1061, HB 1087, HB 1098, HB 1099, HB 1141, HB 1184, HB 1215, HB 1273, HB 1382, HB 1392, HB 1451, HB 1455, HCR 3023.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2118, SB 2132, SB 2166, SB 2182, SB 2184, SB 2206, SB 2220, SB 2235, SB 2240, SB 2241, SB 2268, SB 2307, SB 2367, SB 2390.

**MOTION**

**REP. VIGESAA MOVED** that the absent member 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 12:00 p.m., Tuesday, March 17, 2009, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2112, as engrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2112 was placed on the Sixth order on the calendar.

Page 2, line 10, overstrike "**Operation of vehicle on approach of**" and insert immediately thereafter "**Vehicle to stop or yield the right of way for**"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2223, as engrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2223 was placed on the Sixth order on the calendar.

Page 1, line 1, after the second "for" insert "a", replace "projects" with "project", and after the semicolon insert "and"

Page 1, line 2, remove "; and to provide an appropriation"

Page 1, line 5, replace "**PROJECTS**" with "**PROJECT**" and replace "two" with "a"

Page 1, line 6, replace "projects" with "project", replace "two" with "one", and remove "One project must focus on"

Page 1, line 7, remove "coordination in a rural area and one project must focus on coordination in an urban area."

Page 1, line 8, replace "one" with "the", replace "2009 and one project in 2010" with "the 2009-11 biennium", and replace "Each" with "The"

Page 1, line 19, replace "projects" with "project"

Page 1, remove lines 20 through 24

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2248, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2248 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to create and enact a new section to chapter 4-35 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to certified pesticide applicators;"

Page 5, remove lines 30 and 31

Page 6, remove lines 1 and 2

Page 10, line 1, after "1." insert "a."

Page 10, line 2, remove "or", overstrike "use", and overstrike "classified for"

Page 10, line 3, overstrike "restricted use"

Page 10, after line 6, insert:

"b. An individual who would be a private applicator, if certified, may not use any restricted use pesticide unless the individual:

- (1) Complies with the certification requirements established by the board; or
- (2) Is under the direct supervision of a certified applicator."

Page 13, line 8, remove the overstrike over "~~The certified~~"

Page 13, remove the overstrike over lines 9 through 17

Page 13, line 18, remove the overstrike over "~~physically present at the time and place that the pesticide is applied.~~" and remove "Because"

Page 13, remove lines 19 and 20

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2289, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2289 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2305, as engrossed: Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2305 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "necessary easements" with "applicable licenses and authorizations"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2336, as engrossed: Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2336 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "Garrison diversion overview committee" with "creation of a legislative overview committee for water-related topics"

Page 1, line 6, overstrike "**Garrison diversion**" and insert immediately thereafter "**Water-related topics**"

Page 1, line 9, replace "Garrison diversion" with "water-related topics"

Page 1, line 11, replace "the Garrison diversion project and related matters" with "water-related topics"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2350, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2350 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "section" with "sections" and after "4-24-09" insert "and 4-24-10"

Page 1, line 3, after "funds" insert "and a report to the legislative assembly"

Page 4, after line 22, insert:

**"SECTION 15. AMENDMENT.** Section 4-24-10 of the North Dakota Century Code is amended and reenacted as follows:

**4-24-10. Agricultural commodity promotion groups to report to legislative assembly - Report contents.** Between the first and tenth legislative day of each

regular legislative session, the North Dakota ethanol council, the North Dakota potato council, the North Dakota oilseed council, the North Dakota dry bean council, the North Dakota dry pea and lentil council, the North Dakota barley council, the North Dakota soybean council, the North Dakota corn utilization council, the North Dakota beekeepers association, the North Dakota turkey federation, the North Dakota milk marketing board, the North Dakota dairy promotion commission, the North Dakota state wheat commission, and the North Dakota beef commission must file a uniform report at a public hearing before the standing agriculture committee of each house of the legislative assembly. The presiding officer of each house of the legislative assembly may direct that the reports be filed with some other standing committee of that house. Each report must contain a summary of the activities of the commodity group during the current biennium, a single-page uniform statement of revenues and expenditures for the next biennium. Each report, except the reports of the North Dakota beekeepers association and the North Dakota turkey federation, must also include a state auditor's report on the commodity group's single-page uniform statement of revenues and expenditures for the previous two fiscal years."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2357, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2357 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2371, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2371 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "provide for the control of invasive species; to"

Page 1, line 3, replace "and to amend and reenact" with "relating to the distribution of state appropriations for noxious weed control."

Page 1, remove lines 4 through 6

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 18

Page 5, line 21, remove "**Local**" and overstrike "**share**" and insert immediately thereafter "**Distribution**"

Page 5, line 25, remove "or invasive species"

Page 6, line 2, remove "or invasive species"

Page 6, line 3, overstrike the first "the" and insert immediately thereafter "a" and replace "the" with "a"

Page 6, replace lines 4 through 28 with:

#### **"SECTION 4. County and city weed boards - Control of invasive species - Acceptance of grants.**

1. If a county or a city weed board determines that an invasive species is present within its jurisdiction, the weed board shall notify the commissioner.
2. a. If grant funds for the control of invasive species are available to the commissioner, the commissioner may forward the funds to a weed board for the purpose of controlling the invasive species on public land and assisting private landowners in their efforts to voluntarily control the invasive species provided:
  - (1) The commissioner determines that, without intervention, the invasive species is likely to become a noxious weed during the ensuing five-year period; and

- (2) The weed board files a plan with the commissioner detailing the manner in which and the time within which the funds are to be expended.
- b. Notwithstanding any other law, a county or a city weed board may accept a grant under this subsection and implement a plan, approved by the commissioner, for the control of invasive species within its jurisdiction.
3. In addition to grant funds available from the commissioner, a county or a city weed board may accept funds from any other source to control invasive species within its jurisdiction.
4. For purposes of this section, an invasive species means a plant species that has been introduced into this state and which the North Dakota state university extension service determines has caused or is likely to cause:
- a. Economic harm;
  - b. Environmental harm; or
  - c. Harm to human health."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2372, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2372 was placed on the Sixth order on the calendar.

Page 1, line 11, remove "the facility"

Page 1, line 12, replace "Is" with "The facility is"

Page 1, line 15, replace "Has" with "The facility has"

Page 1, line 16, replace "Is" with "The facility is"

Page 1, line 19, after "human" insert "food"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2378, as engrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2378 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2404, as engrossed: Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2404 was placed on the Sixth order on the calendar.

Page 1, line 5, remove "takes, receives, or"

Page 1, line 12, remove "takes, receives, or"

Page 1, line 19, replace "5" with "4"

Page 2, line 25, replace "for record" with "a form UCC-1A in the central indexing system and recording the lien in the real estate records"

Page 2, line 26, replace "a verified notice of lien in substantially the following form:" with an underscored period

Page 2, remove lines 27 through 30

Page 3, remove lines 1 through 9

Page 3, line 10, replace "verified notice of" with "the oil and gas owner's"

Page 3, line 14, remove "deemed to be"

Page 3, line 15, replace "instrument" with "lien" and replace "Instruments" with "Liens must be filed in the central indexing system and recorded in the real estate records of the county. Liens"

Page 3, line 17, remove "relates"

Page 3, line 18, remove "back to and is effective as of the date on which the severance occurred and"

Page 3, line 19, after "attach" insert "thereafter"

Page 3, line 26, replace "an" with "a lien"

Page 3, line 27, remove "instrument"

Page 4, line 15, replace "an instrument" with "a lien"

Page 4, line 16, replace "instrument" with "lien"

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2438, as reengrossed: Agriculture Committee (Rep. D. Johnson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2438 was placed on the Sixth order on the calendar.**

Page 1, line 1, replace "54-60" with "4-01"

Page 1, line 2, after the semicolon insert "to provide a continuing appropriation;"

Page 1, line 5, replace "54-60" with "4-01"

Page 1, line 9, replace "department of commerce" with "agriculture commissioner"

Page 1, line 11, replace "department" with "commissioner"

Page 1, line 13, replace "department's" with "commissioner's" and replace "department" with "commissioner"

Page 1, line 16, replace "department" with "commissioner"

Page 1, line 18, replace "department" with "commissioner"

Page 1, line 20, replace "department" with "commissioner"

Page 1, line 21, replace "department" with "commissioner"

Page 2, replace lines 1 through 5 with:

- "a. Increased efficiencies in soil and nutrient preservation;
- b. Decreased reliance on tillage and other soil-depleting practices;
- c. Increased efficiencies in the use of water;
- d. Increased efficiencies in the use of other necessary and measurable agricultural inputs;
- e. Increased yield efficiencies; and"

Page 2, line 7, replace "54-60" with "4-01"

Page 2, line 9, after "**Duties**" insert "**- Powers**"

Page 2, line 10, after "Compensation" insert "- Continuing appropriation"

Page 2, line 11, replace "department of commerce" with "agriculture commissioner"

Page 2, line 12, after the underscored period insert:

"a."

Page 2, line 13, replace "a." with "(1)"

Page 2, line 14, replace "b." with "(2)"

Page 2, line 16, replace "c." with "(3)"

Page 2, line 17, replace "d." with "(4)"

Page 2, line 19, replace "e." with "(5)"

Page 2, line 21, replace "f." with "(6)"

Page 2, line 22, replace "g." with "(7)"

Page 2, after line 23, insert:

"b. If both houses of the legislative assembly are controlled by the same party, the committee also must include one member of the legislative assembly from the minority party, appointed by the chairman of the legislative council."

Page 3, line 3, replace "department" with "commissioner"

Page 3, line 6, after "3." insert "The committee may accept gifts, grants, and donations of money, property, and services. All moneys received as gifts, grants, or donations are appropriated on a continuing basis to the agriculture commissioner for the purpose of carrying out this section."

4."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SCR 4006: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4006 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SCR 4021, as engrossed: 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). Engrossed SCR 4021 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "regulated" with "United States Department of Agriculture inspection and regulation of"

Page 1, line 18, replace "regulated" with "United States Department of Agriculture inspection and regulation of"

Renumber accordingly

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

**Buell J. Reich, Chief Clerk**