

JOURNAL OF THE HOUSE

Sixty-third Legislative Assembly

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Bismarck, January 17, 2013

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

The prayer was offered by Pastor Tim Johnson, Good Shepherd Lutheran Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Eighth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 129, line 12, replace "was rereferred to the Judiciary Committee." with "was placed on the Eleventh order of business on the calendar for the succeeding legislative day."

REP. KRETSCHMAR MOVED that the report be adopted, which motion prevailed.

MOTION

REP. HATLESTAD MOVED the nomination of Lynell Thueson for the office of Journal Reporter of the House of Representatives.

REP. HELLER SECONDED the motion and moved that nominations cease, which motion prevailed.

MOTION

REP. VIGESAA MOVED that House Rule 206 regarding Group A employees be suspended and that a unanimous ballot be cast for Lynell Thueson, Journal Reporter, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural **Committee on Employment (Rep. Martinson, Chairman)** recommends the following House employees for the Sixty-third Legislative Assembly.

2013 HOUSE EMPLOYEES

	<u>Chief Clerk</u>	
Buell Reich		Bismarck
	<u>Assistant Chief Clerk</u>	
Fran Gronberg		Bismarck
	<u>Journal Reporter</u>	
Lynell Thueson		Bismarck
	<u>Calendar Clerk</u>	
Janice Thon		Bismarck
	<u>Bill Clerk</u>	
Arlene Melarvie		Mandan
	<u>Recording Clerk</u>	
Joel Melarvie		Mandan
	<u>Sergeant-at-Arms</u>	
Jerry Moszer		Bismarck
	<u>Deputy Sergeant-at-Arms</u>	
Jeanne Vetter		Bismarck
	<u>Assistant Sergeants-at-Arms</u>	

Roman Weiler		Mandan
Dwight Eckart		Bismarck
Bobbie Westbee		Bismarck
Dennis Kuntz		Bismarck
Ryan Laffen		Bismarck
Brenda Huff		Bismarck
	<u>Administrative Assistant to the Speaker</u>	
Erma Hauglie		Bismarck
	<u>Administrative Assistant to the Majority Leader</u>	
Neva Carlisle		Bismarck
	<u>Staff Assistant to the Majority Leader</u>	
Jacob Holm		Valley City
	<u>Administrative Assistant to the Minority Leader</u>	
Cynthia Kaldor		Bismarck
	<u>Staff Assistant to the Minority Leader</u>	
Elizabeth Jahraus		Bismarck
	<u>Communications Director (both houses)</u>	
Allison Kelly		Bismarck
	<u>Chief Committee Clerk</u>	
Marlys Kienzle		Bismarck
	<u>Assistant Committee Clerks</u>	
Jocelyn Gallagher		Bismarck
Kristie Hetzler		Bismarck
	<u>Appropriations Committee Clerk</u>	
Meredith Traeholt		Bismarck
	<u>Assistant Appropriations Committee Clerks</u>	
Shirley Branning		Bismarck
Jan Carter		Bismarck
Sheri Lewis		Bismarck
	<u>Committee Clerks</u>	
Vicky Crabtree		Mandan
Carmen Hickle		Bismarck
Virginia Emineth		Wilton
Delores Shimek		Bismarck
ReMae Kuehn		Mandan
Jeanette Cook		New Salem
Carmen Hart		Bismarck
Mary Brucker		Bismarck
Chandra Hirning		Bismarck
Dawn Penrose		Bismarck
	<u>Chief Page and Bill Book Clerk</u>	
Constance Johnsen		Bismarck
	<u>Desk Page</u>	
Corey Mueller		Bismarck
	<u>Pages and Bill Book Clerks</u>	
Arlene Flanders		Robinson
David Hanson		Bismarck
Sarah Huber		Bismarck
Emily Risch		Bismarck
	<u>Information Kiosk</u>	
Joan VonRueden		Bismarck
	<u>Parking Lot Attendant</u>	
Stuart Renfrow		Bismarck

REP. MARAGOS MOVED that the report be adopted, which motion prevailed on a voice vote.

OATH OF OFFICE

MR. SPEAKER ADMINISTERED the Oath of Office to the 2013 House employees.

SIXTH ORDER OF BUSINESS

SPEAKER DEVLIN DEEMED approval of the amendments to HB 1069, HB 1072, and HB 1094.

HB 1069, HB 1072, and HB 1094, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. VIGESAA MOVED that HB 1143 be returned to the House floor from the **Appropriations Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. VIGESAA REQUESTED the unanimous consent of the House to withdraw HB 1143. There being no objection, it was so ordered by the Speaker.

MOTION

REP. VIGESAA MOVED that HB 1247 be returned to the House floor from the **Energy and Natural Resources Committee** and be rereferred to the **Agriculture Committee**, which motion prevailed.

Pursuant to Rep. Vigesaa's motion, HB 1247 was rereferred.

MOTION

REP. VIGESAA MOVED that HB 1025, which is on the Eleventh order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, HB 1025 was rereferred.

SECOND READING OF HOUSE BILL

HB 1043: A BILL for an Act to amend and reenact sections 11-11-02 and 11-28.3-09, subsection 7 of section 12-60-26, section 15.1-20-04, subsection 2 of section 15.1-23-02, subsection 2 of section 28-32-10, subsection 1 of section 29-15-21, subsection 1 of section 43-44-07, sections 43-44-08 and 43-44-09, subsection 4 of section 43-44-10, subsection 1 of section 43-44-15, subsection 5 of section 57-64-02, section 64-02-09, and subsection 1 of section 65-02-35 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal section 54-03-01.11 of the North Dakota Century Code, relating to obsolete provisions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

Engrossed HB 1043 passed.

SECOND READING OF HOUSE BILL

HB 1032: A BILL for an Act to create and enact a new subsection to section 57-51.1-03 of the North Dakota Century Code, relating to an exemption from the oil extraction tax; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 94 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

NAYS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

HB 1032 failed.

SECOND READING OF HOUSE BILL

HB 1044: A BILL for an Act to create and enact section 57-02-08.9 of the North Dakota Century Code, relating to a residential property tax credit; to provide an appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 22 YEAS, 72 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Mock; Mooney; Nelson, M.; Onstad; Oversen; Strinden; Williams; Zaiser

NAYS: Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Monson; Muscha; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Speaker Devlin

HB 1044 failed.

SECOND READING OF HOUSE BILL

HB 1073: A BILL for an Act to create and enact a new section to chapter 27-02 of the North Dakota Century Code, relating to declaration of a judicial 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier;

Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

HB 1073 passed.

SECOND READING OF HOUSE BILL

HB 1074: A BILL for an Act to amend and reenact section 27-05.2-09 of the North Dakota Century Code, relating to membership of the court facilities improvement advisory committee.

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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

HB 1074 passed.

SECOND READING OF HOUSE BILL

HB 1097: A BILL for an Act to create and enact a new subsection to section 57-39.2-12 of the North Dakota Century Code, relating to electronic filing of sales and use tax returns and electronic payment of sales and use taxes; 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 87 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Beadle; Becker; Belter; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

NAYS: Amerman; Bellew; Boe; Delzer; Dosch; Kelsh, J.; Ruby

HB 1097 passed.

SECOND READING OF HOUSE BILL

HB 1107: A BILL for an Act to amend and reenact subsection 10 of section 57-02-27.2 of the North Dakota Century Code, relating to county implementation of soil survey data in agricultural property tax assessments; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

HB 1107 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1111: A BILL for an Act to amend and reenact subsection 3 of section 52-04-07 of the North Dakota Century Code, relating to the prohibition of noncharging of unemployment compensation benefits attributable to the accounts of base period employers; and to provide for application.

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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

HB 1111 passed.

SECOND READING OF HOUSE BILL

HB 1112: A BILL for an Act to amend and reenact subsection 2 of section 52-04-12 of the North Dakota Century Code, relating to use of liens to collect contributions owed to job service North Dakota.

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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

HB 1112 passed.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2058, SB 2067, SB 2082, SB 2086, SCR 4002.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1186.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1186.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: HB 1186.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1186.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on January 17, 2013: HB 1186.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

This is to inform you that on January 17, 2013, I have signed the following: HB 1186.

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, January 18, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1029: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1029 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "and"

Page 1, line 6, after the second "date" insert "; and to declare an emergency"

Page 2, line 5, replace "fifty" with "twenty"

Page 4, line 2, overstrike "per biennium"

Page 4, line 26, replace "Section" with "Sections"

Page 4, line 26, after "4" insert "and 5"

Page 4, line 26, replace "is" with "are"

Page 4, line 27, replace "is" with "are"

Page 4, after line 27, insert:

"SECTION 7. EMERGENCY. Sections 1 through 3 of this Act are declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1036: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1036 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "and"

Page 1, line 4, after "23-01.1-02.1" insert "and chapter 23-01.1"

Page 1, line 5, after "information" insert "and the health care data committee; and to provide an effective date"

Page 3, after line 8, insert:

"SECTION 6. REPEAL. Chapter 23-01.1 of the North Dakota Century Code is repealed.

SECTION 7. EFFECTIVE DATE. Section 6 of this Act becomes effective on August 1, 2015."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1046: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1046 was placed on the Sixth order on the calendar.

Page 3, line 14, after "year" insert "for reasons specified in a negotiated agreement or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1050: Education Committee (Rep. Nathe, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1050 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1052: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1052 was placed on the Sixth order on the calendar.

Page 2, line 13, after "5." insert "An employer that selects a preferred provider shall give notice and post notice as required under this subsection.

a."

Page 2, line 14, overstrike "to its" and insert immediately thereafter ":

(1) To the employer's"

Page 2, line 15, overstrike "or" and insert immediately thereafter ".

(2) To the employer's employees when the employer"

Page 2, line 15, overstrike "An employer"

Page 2, line 16, overstrike "shall give written notice identifying the selected preferred provider"

Page 2, line 16, remove "and the terms of the"

Page 2, line 17, remove "preferred provider program"

Page 2, line 17, overstrike "to every" and insert immediately thereafter:

"(3) To an"

Page 2, line 17, overstrike "hired after the selection was made"

Page 2, line 17, remove "and"

Page 2, line 18, replace "to" with "at the time of hire."

(4) To"

Page 2, line 18, after the period, insert:

"(5) To an employee when the employee notifies the employer of an accident under section 65-05-01.2, but in no case more than two business days following the employee's notification of the employer."

b."

Page 2, line 18, overstrike "who" and insert immediately thereafter "that"

Page 2, line 23, after the period, insert:

"c."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1083: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1083 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "to provide an effective date;"

Page 4, remove line 10

Page 4, line 11, replace "Section 1 of this" with "This"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1090: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1090 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1101: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1101 was placed on the Sixth order on the calendar.

Page 2, after line 8, insert:

"4. Each state-licensed opioid treatment program shall submit by electronic means information regarding each prescription dispensed for a controlled

substance to the state's prescription drug monitoring program, unless specifically exempted by federal law."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1104: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1104 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 2 of section 15-10-19.1 of the North Dakota Century Code, relating to the definition of nonresident and resident student for tuition purposes.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 15-10-19.1 of the North Dakota Century Code is amended and reenacted as follows:

2. A "resident student" for tuition purposes means:
 - a. A person whose guardian, custodial parent, or parents are legal residents of this state and have resided in this state for twelve months, or a dependent child whose custodial parent moved into the state with the intent to establish legal residency for a period of years within the last twelve months immediately prior to the beginning of the academic term;
 - b. A person of age eighteen or over who is a legal resident of this state and has resided in this state after reaching age eighteen for twelve months immediately prior to the beginning of the academic term;
 - c. A person who graduated from a North Dakota high school;
 - d. A full-time active duty member of the armed forces, a member of a North Dakota national guard unit, or a veteran as defined in section 37-01-40;
 - e. ~~A spouse or dependent of a full-time active duty member of the armed forces or a member of a North Dakota national guard unit or of an employee of any institution of higher education in this state, and a spouse of any other resident for tuition purposes~~A benefited employee of the North Dakota university system;
 - f. The spouse of:
 - (1) A full-time active duty member of the armed forces;
 - (2) A member of a North Dakota national guard unit;
 - (3) A benefited employee of the North Dakota university system; or
 - (4) Any other individual deemed a resident for tuition purposes;
 - g. A dependent of:
 - (1) A full-time active duty member of the armed forces;
 - (2) A member of a North Dakota national guard unit; or
 - (3) A benefited employee of the North Dakota university system;

- f.h. A person who was a legal resident of this state for at least three consecutive years within six years of the beginning of the academic term; or
- g.i. A child, widow, or widower of a veteran as defined in section 37-01-40 who was killed in action or died from wounds or other service-connected causes, was totally disabled as a result of service-connected causes, died from service-connected disabilities, was a prisoner of war, or was declared missing in action."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1108: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1108 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1123: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1123 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1125: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1125 was placed on the Sixth order on the calendar.

Page 1, line 2, after "registration" insert "; and to declare an emergency"

Page 1, after line 17, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1127: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1127 was placed on the Sixth order on the calendar.

Page 1, line 2, after "Code" insert "; and to declare an emergency"

Page 1, after line 18, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3001: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3001 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

Reps. Pollert, D. Johnson, Haak and Sens. Klein, Wanzek, Heckaman introduced:

HB 1326: A BILL for an Act to create and enact six new sections to chapter 19-13.1 and sections 19-13.1-06.1 and 19-13.1-06.2 of the North Dakota Century Code, relating to the manufacturing and distribution of commercial feed; to amend and reenact sections 19-13.1-02, 19-13.1-04, 19-13.1-06, 19-13.1-07, 19-13.1-08, 19-13.1-09, 19-13.1-11, 19-13.1-12, and 19-13.1-13 of the North Dakota Century Code, relating to the manufacturing and distribution of commercial feed; to repeal sections

19-13.1-01, 19-13.1-03, and 19-13.1-10 of the North Dakota Century Code, relating to rules, enforcement, and registration and licensing requirements applicable to commercial feed; and to provide a penalty.

Was read the first time and referred to the **Agriculture Committee**.

Reps. Porter, Karls, Louser, Maragos, Owens, Trottier and Sens. Armstrong, Schaible introduced:

HB 1327: A BILL for an Act to create and enact subsection 3 to section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks; and to amend and reenact subsection 6 of section 62.1-01-01 and sections 62.1-02-05, 62.1-02-10, 62.1-03-01, 62.1-03-05, and 62.1-04-03 of the North Dakota Century Code, relating to concealed weapons laws.

Was read the first time and referred to the **Judiciary Committee**.

Reps. Oversen, Beadle, Looyson, Boschee, Mock, Strinden and Sens. Axness, Schneider introduced:

HB 1328: A BILL for an Act to amend and reenact section 15-10-17 of the North Dakota Century Code, relating to the rate of tuition at institutions of higher education; and to provide an expiration date.

Was read the first time and referred to the **Education Committee**.

Reps. Sanford, N. Johnson, J. Nelson, Rohr, Wall, Amerman and Sens. Anderson, Berry, J. Lee, Lyson, Nelson introduced:

HB 1329: A BILL for an Act to amend and reenact section 39-21-41.2 of the North Dakota Century Code, relating to child restraint devices.

Was read the first time and referred to the **Transportation Committee**.

Reps. Haak, Boschee, Hogan, Mock and Sens. Grabinger, Mathern, Triplett introduced:

HB 1330: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit equal to a portion of a taxpayer's federal earned income credit; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Heilman, Beadle, Brabandt, Delmore, Kreun, Wall, Boe and Sens. Laffen, Sorvaag introduced:

HB 1331: A BILL for an Act to amend and reenact section 15-10-37 of the North Dakota Century Code, relating to the technology occupations student loan paydown program.

Was read the first time and referred to the **Education Committee**.

Reps. Boehning, Grande, Nathe, Streyle, Thoreson, Wieland and Sen. Berry introduced:

HB 1332: A BILL for an Act to amend and reenact subsection 1 of section 16.1-01-04 of the North Dakota Century Code, relating to residency and the eligibility to vote.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Schatz, Anderson, Froseth, Hunsakor, Kempenich, Thoreson and Sens. Armstrong, Burckhard, Hogue, Lyson, O'Connell introduced:

HB 1333: A BILL for an Act to create and enact two new subsections to section 38-08-02, a new section to chapter 38-08, and a new section to chapter 38-11.1 of the North Dakota Century Code, relating to locating, definitions for, and mediation for pipeline facilities; to amend and reenact section 38-08-04.4, subsection 2 of section 38-08-04.5, and subsection 1 of section 57-51-15 of the North Dakota Century Code, relating to reclamation of pipelines facilities and oil and gas gross production tax for reclamation; and to provide for retroactive application.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Reps. Strinden, Hawken, Owens, Sanford, Glassheim, Haak, Hogan and Sens. Andrist, Schneider, Sinner introduced:

HB 1334: A BILL for an Act to authorize the North Dakota council on the arts to develop and implement a pilot grant program to integrate arts into science, technology, engineering, and mathematics and core disciplines; and to provide an appropriation.

Was read the first time and referred to the **Education Committee**.

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

Buell J. Reich, Chief Clerk

