

## JOURNAL OF THE HOUSE

## Sixty-third Legislative Assembly

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Bismarck, February 7, 2013

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

The prayer was offered by Pastor Larry Giese, Lord of Life Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Schatz and Williams.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER DEVLIN DEEMED** approval of the amendments to HB 1093, HB 1116, HB 1138, HB 1174, HB 1316, HB 1456, and HB 1460.

HB 1174, as amended, was rereferred to the **Appropriations Committee**.

HB 1093, HB 1116, HB 1138, HB 1316, HB 1456, and HB 1460, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. VIGESAA MOVED** that HB 1328 be moved to the bottom of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILL

**HB 1264:** A BILL for an Act to create and enact a new section to chapter 20.1-02, two new subsections to section 20.1-03-12, and a new section to chapter 20.1-03 of the North Dakota Century Code, relating to depredation kill permits for geese and an early Canada goose season; to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to the early Canada goose season; and to declare an emergency.

## ROLL CALL

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

**YEAS:** Amerman; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Schatz; Williams

Engrossed HB 1264 passed and the emergency clause was declared carried.

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## SECOND READING OF HOUSE BILL

**HB 1313:** A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to hunting fees; and to amend and reenact

section 20.1-03-07.1 of the North Dakota Century Code, relating to nonresident waterfowl hunting.

#### 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 5 YEAS, 87 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Kelsh, J.; Kelsh, S.; Onstad

**NAYS:** Anderson; Beadle; Becker; Bellew; Belter; 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; 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.; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Schatz; Williams

HB 1313 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1063:** A BILL for an Act to amend and reenact sections 61-02-01, 61-15-01, and 61-15-02 of the North Dakota Century Code, relating to the term nonnavigable and water conservation; and to repeal section 61-15-08 of the North Dakota Century Code, relating to water conservation.

#### ROLL CALL

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

**YEAS:** Amerman; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Schatz; Williams

Engrossed HB 1063 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1130:** A BILL for an Act to amend and reenact sections 20.1-03-12, 20.1-03-12.1, and 20.1-03-12.2 of the North Dakota Century Code, relating to hunting fees.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 75 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looysen; Louser; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rust; Sanford; Schmidt; Silbernagel; Strinden; Sukut; Toman; Vigasaa; Wall; Weisz; Wieland; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Boehning; Delzer; Frantsvog; Grande; Kasper; Kempenich; Koppelman, B.; Meier; Rohr; Ruby; Skarphol; Steiner; Streyle; Thoreson; Trottier

**ABSENT AND NOT VOTING:** Schatz; Williams

Engrossed HB 1130 passed.

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### SECOND READING OF HOUSE BILL

**HB 1297:** A BILL for an Act to amend and reenact section 6-09-46 of the North Dakota Century Code, relating to partial forgiveness of loans from the rebuilders loan program.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 36 YEAS, 56 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Boe; Boschee; Brabandt; Delmore; Dockter; Dosch; Frantsvog; Glassheim; Hanson; Hawken; Hogan; Holman; Hunskor; Kelsh, J.; Klein; Kretschmar; Larson; Louser; Maragos; Martinson; Meier; Mock; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Ruby; Rust; Sanford; Streyle; Strinden; Zaiser

**NAYS:** Anderson; Beadle; Becker; Belter; Boehning; Brandenburg; Carlson; Damschen; Delzer; Drovdal; Fehr; Froseth; Grande; Gruchalla; Guggisberg; Haak; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, S.; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Looysen; Monson; Nelson, M.; Owens; Paur; Pollert; Porter; Rohr; Schmidt; Silbernagel; Skarphol; Steiner; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Schatz; Williams

Engrossed HB 1297 failed.

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### SECOND READING OF HOUSE BILL

**HB 1307:** A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to descriptions of elementary and high school content.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 28 YEAS, 64 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Belter; Damschen; Delzer; Dosch; Drovdal; Grande; Headland; Kasper; Klein; Koppelman, B.; Koppelman, K.; Laning; Larson; Louser; Meier; Rohr; Ruby; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Thoreson; Toman; Vigasaa; Wieland

**NAYS:** Amerman; Anderson; Beadle; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Dockter; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla;

Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klemin; Kreidt; Kretschmar; Kreun; Looyesen; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rust; Sanford; Strinden; Sukut; Trottier; Wall; Weisz; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Schatz; Williams

Engrossed HB 1307 failed.

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### **SECOND READING OF HOUSE BILL**

**HB 1354:** A BILL for an Act to amend and reenact section 20.1-02-04 of the North Dakota Century Code, relating to special deer licenses.

### **ROLL CALL**

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

**YEAS:** Amerman; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Schatz; Williams

Engrossed HB 1354 passed.

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### **SECOND READING OF HOUSE BILL**

**HB 1434:** A BILL for an Act to amend and reenact subsection 6 of section 20.1-03-12 of the North Dakota Century Code, relating to fishing license fees for the disabled.

### **ROLL CALL**

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

**YEAS:** Amerman; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Schatz; Williams

Engrossed HB 1434 passed.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1068, HB 1287.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1070, HB 1133.

**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 2163, SB 2209.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HCR 3015.

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

**MR. SPEAKER:** The President has signed: HCR 3015.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3015.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on February 7, 2013: HCR 3015.

**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, February 8, 2013, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1040: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1040 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1096: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1096 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1176: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1176 was placed on the Sixth order on the calendar.

Page 3, line 19, replace "five" with "seven"

Page 3, line 19, remove "plea of"

Page 3, line 20, replace "guilt or" with "felony"

Page 3, line 20, after "conviction" insert "that has as an element the possession, use, or distribution of a controlled substance"

Page 3, line 21, remove "plead guilty to or"

Page 3, line 23, replace "201" with "102"

Page 6, line 1, replace "five" with "seven"

Page 6, line 1, replace "plea of guilt or" with "felony"

Page 6, line 2, after "conviction" insert "that has as an element the possession, use, or distribution of a controlled substance"

Page 6, line 2, remove "plead guilty to or"

Page 6, line 3, remove "for an act"

Page 6, line 4, replace "201" with "102"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1182: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1182 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1209: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1209 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1221: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1221 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1222: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1222 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "an" with "a continuing"

Page 1, remove lines 9 through 13

Page 4, after line 28, insert:

"7. Notwithstanding any other provision of law, the state treasurer shall deposit in the home rule charter sales tax reimbursement fund, which is hereby created, a portion of the sales and use taxes collected under this chapter and chapter 57-40.2, equal to four million eight hundred fifty thousand dollars. The deposit to the fund must be made no later than July thirty-first of each year for the purpose of offsetting the reduction in city or county revenue lost from the exemption in this section. The revenues deposited in the home rule charter sales tax reimbursement fund are provided as a standing and continuing appropriation for distribution by the state treasurer no later than August thirty-first each year, in the amounts as certified by the tax commissioner, to the home rule cities and counties that impose a sales, use, or gross receipts tax. No later than June thirtieth of each year, the tax commissioner shall certify to the state treasurer the annual allocation of funds to the cities and counties prorated in proportion to the respective shares of each city and county in respect to total annual statewide city and county home rule sales, use, or gross receipts tax collections in the previous calendar year."

Page 4, remove lines 29 through 31

Page 5, remove lines 1 and 2

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1223: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1223 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1240: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1240 was placed on the Sixth order on the calendar.

Page 1, line 8, after the underscored closing bracket insert "or section 501(c)(19) of the Internal Revenue Code [26 U.S.C. 501(c)(19)]"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1261: Education Committee (Rep. Nathe, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1261 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1271: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1271 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1272: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1272 was placed on the Sixth order on the calendar.

Page 1, line 20, overstrike "a" and insert immediately thereafter "the"

Page 1, line 20, overstrike "unit"

Page 1, line 20, remove "or"

Page 1, line 21, after "(3)" insert "A member of the armed forces reserve component stationed in this state: or

(4)"

Page 1, line 24, overstrike "a" and insert immediately thereafter "the"

Page 1, line 24, overstrike "unit"

Page 2, line 1, after "(3)" insert "A member of the armed forces reserve component stationed in this state:

(4)"

Page 2, line 2, replace "(4)" with "(5)"

Page 2, line 4, replace "(5)" with "(6)"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1300: 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 1300 was placed on the Sixth order on the calendar.

Page 1, line 7, after "buildings" insert "and land"

Page 1, line 8, overstrike "services" and insert immediately thereafter "purposes"

Page 1, line 8, overstrike ", and if on the same parcel, dwellings with"

Page 1, overstrike lines 9 and 10

Page 1, line 11, overstrike "within the perimeter of those buildings,"

Page 1, line 11, remove the first "and"

Page 1, line 11, overstrike "improved off-street parking"

Page 1, line 11, remove the second "and"

Page 1, line 12, overstrike "reasonable landscaping or sidewalk area adjoining"

Page 1, line 12, remove "serving"

Page 1, line 12, overstrike "the main church"

Page 1, line 13, overstrike "building,"

Page 1, line 14, overstrike "services" and insert immediately thereafter "purposes"

Page 1, line 16, remove "b."

Page 1, line 16, overstrike "If the residence of the bishop, priest, rector, or other minister in charge of"

Page 1, overstrike line 17

Page 1, line 18, overstrike "usual outbuildings and land on which it is located,"

Page 1, remove line 19

Page 1, line 20, remove "property used exclusively for religious purposes and"

Page 1, line 20, overstrike "is exempt from taxation."

Page 1, remove lines 21 through 24

Page 2, line 1, replace "d." with "b."

Page 2, overstrike line 3

Page 2, line 4, overstrike "from" and insert immediately thereafter "person if"

Page 2, line 4, after "rent" insert "received is used for the religious purposes of the religious corporation or organization"

Page 2, line 5, after "is" insert "retroactively"

Page 2, line 5, after "effective" insert "and applies"

Page 2, line 6, replace "2012" with "2010"

Page 2, line 6, after the period insert "The board of county commissioners may abate or refund taxes under this Act on its own motion or upon application of a property owner under chapter 57-23."

Renumber accordingly



**REPORT OF STANDING COMMITTEE**

**HB 1311: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1311 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1315: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1315 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1330: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1330 was placed on the Sixth order on the calendar.

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 8

Page 2, line 9, replace "4." with "3."

Page 2, line 9, replace "an annual basis" with "a date agreed to by the tax commissioner and the department of human services"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1331: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1331 was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "~~The board shall adopt~~"

Page 1, remove the overstrike over lines 11 and 12

Page 1, line 13, remove the overstrike over "~~and standards for eligibility~~"

Page 1, line 21, remove "located in this state"

Page 1, line 22, remove the overstrike over "~~, at a board-approved college~~"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1353: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1353 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1356: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1356 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 directing the legislative management to study early childhood services and early childhood education."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - EARLY CHILDHOOD SERVICES AND EARLY CHILDHOOD EDUCATION.**

1. The legislative management shall consider studying, during the 2013-14 interim, the development, delivery, and administration of comprehensive early childhood services and early childhood education in this state. The study must include an examination of the availability, quality, and cost of services offered by existing public and private sector providers, the projected need for services during the coming ten years to twenty years, and the ability of public and private sector providers to address the expansion of facilities or the creation of additional facilities.
2. The legislative management may appoint a committee, workgroups, task forces, and subcommittees, as necessary, to provide or obtain information required in conjunction with this study.
3. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1359: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1359 was placed on the Sixth order on the calendar.

Page 1, line 22, remove the overstrike over "beginning"

Page 1, line 22, remove "the planned"

Page 1, line 23, remove "commencement of"

Page 2, line 21, replace "planned excavation site" with "location of the excavation"

Page 2, line 26, remove "and the affected operators"

Page 2, replace line 27 with "plans a meeting with the affected operators at the location of the excavation before beginning any excavation, or if the notice given under this section includes a specific street address or reference to a platted lot number of record of the location of the excavation."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1360: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1360 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "to provide for the funding of the program of all-inclusive care for the elderly within the department of human services appropriation.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1. DEPARTMENT OF HUMAN SERVICES TO FUND PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY.** The department of human services shall provide funding for medicaid supplemental payments to programs for all-inclusive care for the elderly to expand service choices for the elderly within the funding levels approved for medical assistance grants by the sixty-third legislative assembly as part of the department of human services appropriation for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1374: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1374 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1382: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1382 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1384: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1384 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1396: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1396 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1412: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1412 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new section to chapters 15-10 and 19-03.1 of the North"

Page 1, remove line 2

Page 1, line 3, remove "medical emergencies involving drugs or alcohol; and to"

Page 3, line 3, remove the overstrike over "The"

Page 3, remove the overstrike over lines 4 through 14

Page 3, line 27, remove "or drug"

Page 4, remove lines 9 through 27

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1432: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1432 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 create and enact a new section to chapter 54-34.4 of the North Dakota Century Code, relating to a department of commerce division of tourism film production program; to provide a continuing appropriation; and to provide for a transfer.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 54-34.4 of the North Dakota Century Code is created and enacted as follows:

**Rough rider award film production fund - Advisory group - Continuing appropriation.**

1. The rough rider award film production fund is a special fund in the state treasury. All moneys in the rough rider award film production fund are appropriated to the department of commerce on a continuing basis for

the purpose of the division of tourism assisting in the financing of the production of films relating to rough rider award winners, notable North Dakotans, or other individuals of interest.

- a. Interest earned on moneys in the fund must be credited to the fund.
- b. Funds in the fund may be used by the department of commerce for the costs of administration of the fund.
- c. Any profits the state recognizes from a film produced under this section must be distributed as follows in the following priority:
  - (1) First, deposit in the rough rider award film production fund, not to exceed a fund balance of ten million dollars;
  - (2) Second, deposit remaining funds in the tobacco prevention and control fund, not to exceed ten million dollars total deposit in this fund under this section; and
  - (3) Third, deposit all remaining funds in the general fund in the state treasury.
2. The division of tourism shall consult with an advisory group in determining what films will be produced under this section. The advisory group shall advise the division of tourism on the production of films under this section. The advisory group consists of the director of the state historical society, a representative of the Bank of North Dakota, the chairman of the North Dakota humanities council, one senator appointed by the majority leader of the senate of the legislative assembly, and one representative appointed by the majority leader of the house of representatives of the legislative assembly.

**SECTION 2. TRANSFER - TOBACCO PREVENTION AND CONTROL FUND - ROUGH RIDER AWARD FILM PRODUCTION FUND.** Notwithstanding section 54-27-25, the office of management and budget shall transfer the sum of \$10,000,000 from the tobacco prevention and control fund to the rough rider award film production fund, during the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1453: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1453 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1454: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1454 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 provide for a legislative management study of access to dental services.

#### **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ACCESS TO DENTAL SERVICES.** During the 2013-14 interim, the legislative management shall consider studying how to improve access to dental services and ways to address dental service provider shortages, including the feasibility of utilizing mid-level providers, whether the use of incentives for dental service providers to locate in underserved areas in the state may improve access, and whether the state's medical assistance reimbursement rates impact access to dental services. The legislative management

shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1457: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1457 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3020: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3020 was placed on the Tenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**

