

## JOURNAL OF THE HOUSE

## Sixty-third Legislative Assembly

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Bismarck, February 11, 2013

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

The prayer was offered by Pastor Ryan Fischer, Dovre Lutheran Church, Osnabrock.

The roll was called and all members were present except Representatives Beadle, Boehning, Heilman, Monson, Wall, and Williams.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER DEVLIN DEEMED** approval of the amendments to HB 1175, HB 1202, and HB 1309.

HB 1175, as amended, was rereferred to the **Appropriations Committee**.

HB 1202 and HB 1309, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. VIGESAA MOVED** that HB 1369 be returned to the House floor from the **Appropriations Committee** and be placed on the Eleventh order of business on the calendar for the succeeding legislative day, which motion prevailed.

## MOTION

**REP. VIGESAA MOVED** that Engrossed HB 1356, which is on the Eleventh order, be rereferred to the **Education Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, Engrossed HB 1356 was rereferred.

## MOTION

**REP. VIGESAA MOVED** that House Rule 329 (4) be amended temporarily, replacing "twenty-fifth legislative day" with "twenty-eighth legislative day", which motion prevailed.

## SECOND READING OF HOUSE BILL

**HB 1182:** A BILL for an Act to amend and reenact section 57-38-30.3 of the North Dakota Century Code, relating to suspension of the income tax for individuals, estates, and trusts; to provide an effective date; and to provide an expiration date.

## ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 63 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Becker; Bellev; Boschee; Brabandt; Dosch; Grande; Kasper; Kempenich; Koppelman, B.; Kreidt; Laning; Louser; Maragos; Mooney; Paur; Porter; Ruby; Schatz; Streyle; Strinden; Thoreson; Toman

**NAYS:** Amerman; Belter; Boe; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Drovda; Fehr; Frantvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunsakor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Koppelman, K.; Kretschmar; Kreun; Larson; Looyen; Martinson; Meier; Mock; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Pollert; Rohr; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Sukut; Trottier; Vigesaa; Weisz; Wieland; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Beadle; Boehning; Gruchalla; Heilman; Hogan; Monson;

Wall; Williams

HB 1182 failed.

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### SECOND READING OF HOUSE BILL

**HB 1221:** 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 for renters of residential property; 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 29 YEAS, 57 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Holman; Hunskor; Johnson, N.; Kasper; Kelsh, J.; Kelsh, S.; Klemin; Kreun; Maragos; Meier; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Steiner; Strinden; Zaiser

**NAYS:** Anderson; Becker; Bellew; Belter; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Headland; Heller; Hofstad; Johnson, D.; Karls; Keiser; Kempenich; Kiefert; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyen; Louser; Martinson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Beadle; Boehning; Gruchalla; Heilman; Hogan; Monson; Wall; Williams

HB 1221 failed.

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### SECOND READING OF HOUSE BILL

**HB 1223:** A BILL for an Act to create and enact a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to a refundable individual income tax credit to provide tax relief by refund of a portion of state and local taxes; to provide an appropriation; to provide an effective date; and to provide an expiration date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 24 YEAS, 62 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Laning; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Ruby; Strinden; Toman; Zaiser

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

**ABSENT AND NOT VOTING:** Beadle; Boehning; Gruchalla; Heilman; Hogan; Monson; Wall; Williams

HB 1223 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1271:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for certain health centers; 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 35 YEAS, 51 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boschee; Delmore; Dosch; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hawken; Holman; Hunsakor; Johnson, N.; Kasper; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Rust; Sanford; Silbernagel; Steiner; Strinden; Thoreson; Trottier; Weisz; Zaiser; Speaker Devlin

**NAYS:** Anderson; Becker; Bellew; Belter; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Drovdal; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heller; Hofstad; Johnson, D.; Karls; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Nathe; Owens; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Skarphol; Streyle; Sukut; Toman; Vigasaa; Wieland

**ABSENT AND NOT VOTING:** Beadle; Boehning; Gruchalla; Heilman; Hogan; Monson; Wall; Williams

HB 1271 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1096:** A BILL for an Act to amend and reenact section 57-39.2-26.1 of the North Dakota Century Code, relating to the share of state sales, gross receipts, use, and motor vehicle excise tax deposited in the state aid distribution fund and allocation of that fund among political subdivisions; to provide an effective date; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 35 YEAS, 51 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Becker; Boe; Boschee; Brabandt; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Hanson; Hatlestad; Heller; Hunsakor; Johnson, N.; Klein; Klemin; Kreidt; Laning; Louser; Meier; Mock; Mooney; Onstad; Paur; Rohr; Ruby; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Strinden; Sukut

**NAYS:** Amerman; Bellew; Belter; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Grande; Haak; Hawken; Headland; Hofstad; Holman; Johnson, D.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kretschmar; Kreun; Larson; Looyen; Maragos; Martinson; Muscha; Nathe; Nelson, J.; Nelson, M.; Oversen; Owens; Pollert; Porter; Schmidt; Streyle; Thoreson; Toman; Trottier; Vigasaa; Weisz; Wieland; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Beadle; Boehning; Gruchalla; Heilman; Hogan; Monson; Wall; Williams

HB 1096 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1311:** A BILL for an Act to amend and reenact section 57-39.2-26.1 of the North Dakota Century Code, relating to providing property tax relief by increasing the share of sales, gross receipts, use, and motor vehicle excise tax collections to be deposited in the state aid distribution fund for allocation to political subdivisions; 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 20 YEAS, 66 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson; Becker; Bellew; Belter; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; 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; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Beadle; Boehning; Gruchalla; Heilman; Hogan; Monson; Wall; Williams

HB 1311 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1315:** A BILL for an Act to create and enact a new section to chapter 57-62 of the North Dakota Century Code, relating to designation of a portion of the oil and gas impact grant fund for cultural grants to cities and counties; and to provide a transfer.

**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 24 YEAS, 63 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boschee; Drovdal; Fehr; Glassheim; Gruchalla; Guggisberg; Hawken; Hunskor; Johnson, N.; Kelsh, S.; Kempenich; Maragos; Mock; Mooney; Muscha; Onstad; Oversen; Rust; Schatz; Silbernagel; Steiner; Strinden; Zaiser

**NAYS:** Anderson; Becker; Bellew; Belter; Boe; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Frantsvog; Froseth; Grande; Haak; Hanson; Hatlestad; Headland; Heller; Hofstad; Holman; Johnson, D.; Karls; Kasper; Keiser; Kelsh, J.; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Martinson; Meier; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schmidt; Skarphol; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Beadle; Boehning; Heilman; Hogan; Monson; Wall; Williams

HB 1315 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1353:** A BILL for an Act to amend and reenact section 57-38-01.8, subdivision o of subsection 7 of section 57-38-30.3, and subsection 1 of section 57-39.2-04.2 of the North Dakota Century Code, relating to income and sales tax incentives for smaller

wind energy generation units; 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 26 YEAS, 61 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Boe; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Hofstad; Holman; Hunskor; Johnson, D.; Kelsh, S.; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Sanford; Strinden; Vigasaa; Zaiser; Speaker Devlin

**NAYS:** Amerman; Anderson; Becker; Bellew; Belter; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovda; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heller; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Nathe; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Weisz; Wieland

**ABSENT AND NOT VOTING:** Beadle; Boehning; Heilman; Hogan; Monson; Wall; Williams

HB 1353 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1374:** A BILL for an Act to create a supplemental energy impact grant program and fund; to provide for a transfer; to provide an appropriation; and to provide an expiration date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 79 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Boschee; Fehr; Johnson, N.; Maragos; Meier; Oversen; Schatz; Steiner

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

**ABSENT AND NOT VOTING:** Beadle; Boehning; Heilman; Hogan; Monson; Wall; Williams

HB 1374 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1382:** A BILL for an Act to amend and reenact section 57-39.2-04.2 of the North Dakota Century Code, relating to sales tax exemption for a wind-powered electrical generating facility; to provide an effective date; and to provide an expiration date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 55 YEAS, 33 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Boe; Boschee; Brandenburg; Damschen; Delmore; Dockter; Dosch; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kasper; Kelsh, J.; Kelsh, S.; Klein; Klemin; Kretschmar; Kreun; Laning; Larson; Maragos; Martinson; Meier; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Pollert; Porter; Sanford; Strinden; Thoreson; Toman; Weisz; Wieland; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Belter; Brabandt; Carlson; Delzer; Drovdal; Fehr; Grande; Hatlestad; Heller; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Looysen; Louser; Paur; Rohr; Ruby; Rust; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigesaa

**ABSENT AND NOT VOTING:** Beadle; Boehning; Heilman; Monson; Wall; Williams

HB 1382 passed.

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**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 2023, SB 2118, SB 2185, SB 2211, SB 2251, SB 2294, SB 2316, SB 2322, SB 2337, SB 2361.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2117.

**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 1:00 p.m., Tuesday, February 12, 2013, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1041: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1041 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1048: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1048 was placed on the Sixth order on the calendar.

Page 1, line 1, after "39-06.1-06" insert "and subsection 2 of section 40-05-06"

Page 2, line 4, remove "subsection"

Page 2, line 4, overstrike "7"

Page 2, line 4, after "44" insert "subsection 10"

Page 2, line 5, remove "of twenty dollars in addition to the fee"

Page 2, overstrike lines 6 through 8

Page 2, line 9, overstrike "1 - 5"

Page 2, line 9, remove "\$2/each mph over limit"

Page 2, line 10, overstrike "6 - 10"

Page 2, line 10, remove "\$3/each"

Page 2, line 10, overstrike "mph over"

Page 2, line 10, overstrike "limit"

Page 2, line 11, overstrike "11 - 15"

Page 2, line 11, remove "\$4/each"

Page 2, line 11, overstrike "mph over"

Page 2, line 11, overstrike "limit"

Page 2, line 12, overstrike "16 - 20"

Page 2, line 12, remove "\$5/each"

Page 2, line 12, overstrike "mph over"

Page 2, line 12, overstrike "limit"

Page 2, line 13, overstrike "21 - 25"

Page 2, line 13, remove "\$6/each"

Page 2, line 13, overstrike "mph over"

Page 2, line 13, overstrike "limit"

Page 2, line 14, overstrike "26 - 35"

Page 2, line 14, remove "\$7/each"

Page 2, line 14, overstrike "mph over"

Page 2, line 14, overstrike "limit"

Page 2, line 15, overstrike "36 - 45"

Page 2, line 15, remove "\$8/each"

Page 2, line 15, overstrike "mph over"

Page 2, line 15, overstrike "limit"

Page 2, line 16, overstrike "46 +"

Page 2, line 16, remove "\$10/each"

Page 2, line 16, overstrike "mph over"

Page 2, line 16, overstrike "limit" and insert immediately thereafter "of two dollars for each mile per hour over the limit."

Page 2, line 24, overstrike "On a highway on which the speed limit is a speed"

Page 2, line 24, remove "in excess of"

Page 2, line 25, remove "sixty-five"

Page 2, line 25, overstrike "miles ["

Page 2, line 25, remove "104.61"

Page 2, line 25, overstrike "kilometers] an hour, for a violation of section 39-09-02, or"

Page 2, line 26, overstrike "an equivalent ordinance, a fee"

Page 2, line 26, remove "of twenty dollars in addition to the fee"

Page 2, line 26, overstrike "established as"

Page 2, overstrike lines 27 through 29

Page 2, line 30, overstrike "1 -"

Page 2, line 30, remove "5"

Page 2, line 30, remove "\$6/each"

Page 2, line 30, overstrike "mph over limit"

Page 2, line 31, remove "6"

Page 2, line 31, remove "- 10"

Page 2, line 31, remove "\$7/each"

Page 2, line 31, overstrike "mph over"

Page 2, line 31, overstrike "limit"

Page 3, remove lines 1 through 3

Page 3, line 4, overstrike "8."

Page 3, line 5, overstrike "9." and insert immediately thereafter "8."

Page 3, line 7, overstrike "10." and insert immediately thereafter "9."

Page 3, line 21, overstrike "11." and insert immediately thereafter "10."

Page 3, line 21, remove the overstrike over "On a highway on which the speed limit is posted in excess of sixty-five miles [104.61]"

Page 3, remove the overstrike over lines 22 and 23

Page 3, line 24, after "12." insert "11."

Page 4, after line 7, insert:

**"SECTION 2. AMENDMENT.** Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. a. ~~For~~Except as otherwise provided under subdivision b. for every violation of a city ordinance ~~regulating~~that regulates the operation or equipment of a motor ~~vehicles~~vehicle or ~~regulating~~which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may not exceed the limits, for equivalent categories of violations, ~~set forth~~ in section 39-06.1-06.

- b. A home rule city may establish, by ordinance, a fee for the violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, if the fee is for driving in excess of speed limitations and the fee does not exceed two times the limits in section 39-06.1-06 or if the fee is for a moving violation other than

driving in excess of speed limitations and does not exceed three times the limits in section 39-06.1-06."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1140: Energy and Natural Resources Committee (Rep. Porter, 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 1140 was placed on the Sixth order on the calendar.

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

Page 1, remove line 11

Page 1, line 12, replace "principal and interest due" with " the authority is subject to the default provisions under section 61-40-09"

Page 1, after line 12, insert:

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

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1144: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1144 was placed on the Sixth order on the calendar.

Page 1, line 23, replace "49-21-44.1" with "39-21-44.1"

Page 1, line 24, replace "five" with "one"

Page 2, line 12, replace "many" with "may"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1200: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). HB 1200 was placed on the Sixth order on the calendar.

Page 2, line 23, remove "except for the six months preceding the convening of a regular session and"

Page 2, line 24, remove "the three months following the close of a regular session."

Page 2, line 26, after the underscored period insert "However, the budget section of the legislative management may not approve a change, expansion, or additional expenditure for the project during the six months preceding the convening of a regular session or during the three months following the close of a regular session except for changes in project scope and related additional expenditures resulting from an unforeseen emergency event."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1203: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1203 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1205: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1205 was placed on the Sixth order on the calendar.

Page 3, line 21, remove "or a North Dakota veteran's license plate"

Page 3, remove lines 22 through 24

Page 3, line 25, remove "qualified under this subdivision for one vehicle"

Page 4, line 1, overstrike "upon the payment of five"

Page 4, line 2, overstrike "dollars"

Page 4, line 2, remove "or a North Dakota veteran's license plate at no charge"

Page 4, line 8, remove "In addition, a former prisoner of war is"

Page 4, remove line 9

Page 4, line 10, remove "placement on a prisoner of war number plate at no charge."

Page 4, line 11, remove "and is receiving department of"

Page 4, line 12, remove "veterans' affairs dependency and indemnity compensation"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1212: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1212 was placed on the Sixth order on the calendar.

Page 1, line 3, after "sessions" insert "; to provide for retroactive application; and to declare an emergency"

Page 1, line 10, after "exceed" insert "eighty percent of"

Page 1, after line 16, insert:

**"SECTION 2. RETROACTIVE APPLICATION.** This Act applies retroactively to January 1, 2013.

**SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1249, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING). Engrossed HB 1249 was placed on the Sixth order on the calendar.

Page 2, line 4, after the period insert "The board members who are appointed by the chairman of the legislative management are entitled to receive compensation and expense reimbursement for attending meetings of the board in the manner provided under section 54-35-10. The legislative council shall pay the compensation and expense reimbursement for the legislative members."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1259: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1259 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "twenty-ninth" with "twenty-sixth"

Page 1, line 9, replace "December thirty-first" with "January first"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1304: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1304 was placed on the Sixth order on the calendar.

Page 4, after line 19, insert:

**"21-13-10. Divestment of public employee retirement funds.**

Notwithstanding any other law to the contrary, the state investment board shall apply the exclusive benefit rule in investing any public employees retirement system fund created by the laws of this state. The state investment board is not required to engage a scrutinized company under section 21-13-02 or proceed with divestment under section 21-13-03 if the board determines doing so would violate the exclusive benefit rule."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1332: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1332 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 section 16.1-02-05, subsection 9 of section 16.1-02-12, and sections 16.1-02-13, 16.1-05-04, 16.1-05-07, 16.1-07-06, and 39-06-03.1 of the North Dakota Century Code, relating to eligibility to vote; and to repeal sections 16.1-05-06 and 58-04-09 of the North Dakota Century Code, relating to eligibility to vote.

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

**SECTION 1. AMENDMENT.** Section 16.1-02-05 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-02-05. Entry of new voters into the central voter file - Query of the central voter file for double voting --Challenges-- Postelection verification.**

1. Within forty-five days following an election, the county auditor shall enter the name and required information of each individual who voted at the last election who is not already contained in the central voter file and update any required information requested and obtained at the last election for any individual contained in the central voter file.
2. The secretary of state, with the assistance of the county auditors, within eighty-five days following an election, shall query the central voter file to determine if any individual voted more than once during the preceding election. The secretary of state shall immediately notify the county auditor and state's attorney in each affected county for further investigation.

3. Upon return of any nonforwardable mail from an election official, the county auditor shall ascertain the name and address of that individual. If the individual is no longer at the address recorded in the central voter file, the county auditor shall transfer the voter to the correct precinct in the central voter file or notify the county of the voter's new residence so the voter record can be transferred to the correct county. If a notice mailed at least sixty days after the return of the first nonforwardable mail is also returned by the postal service, the county auditor shall designate the individual as "inactive" in the central voter file.
4. ~~Within forty-five days after an election, the county auditor shall send a notice to each individual who was challenged on election day according to section 16.1-05-06. If a notice is returned as not deliverable, the county auditor shall attempt to determine the reason for the return. A county auditor who does not receive or obtain satisfactory proof of an individual's eligibility to vote shall notify immediately the state's attorney to conduct an investigation of the individual's eligibility to vote in that election.~~

**SECTION 2. AMENDMENT.** Subsection 9 of section 16.1-02-12 of the North Dakota Century Code is amended and reenacted as follows:

9. The individual's driver's license or nondriver photo identification card number and state of any state-issued identification regardless of the state in which the identification was issued, if available issued by the department of transportation.

**SECTION 3. AMENDMENT.** Section 16.1-02-13 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-02-13. Information contained in pollbooks generated from the central voter file.**

The county auditor shall generate a pollbook for each precinct in the county from the central voter file by the day before an election. With the exception of a record designated "secured active" and the voter's birth date and driver's license or nondriver photo identification card number of any state-issued identification regardless of the state in which the identification was issued by the department of transportation, which are exempt records, the precinct pollbooks are open records under section 44-04-18. The secretary of state shall prescribe procedures for generating pollbooks and for transporting the pollbooks to the election judges for use on election day. Pollbooks generated from the central voter file must contain the following information for each individual contained therein:

1. The complete legal name of the individual.
2. The complete residential address of the individual.
3. The complete mailing address of the individual, if different from the individual's residential address.
4. The unique identifier generated and assigned to the individual.
5. The county, legislative district, city or township, school district, county commissioner district, if applicable, precinct name, and precinct number in which the individual resides. A ballot-style code identifying this information may be used in place of the information required by this subsection.
6. Any other information requested of and obtained from the individual deemed necessary by the secretary of state for the proper administration of the pollbook.

**SECTION 4. AMENDMENT.** Section 16.1-05-04 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-05-04. Duties of the members of the election board during polling hours.**

1. The election inspector shall supervise the conduct of the election to ensure all election officials are properly performing their duties at the polling place. The election inspector shall assign duties so as to equally and fairly include both parties represented on the election board.
2. The election inspector shall assign ministerial duties to poll clerks, who shall carry out the ministerial duties assigned by the election inspector.
3. The election inspector shall assign the poll clerks to perform the function of maintaining the pollbook. The designated poll clerks shall maintain the pollbook. The pollbook must contain the name and address of each individual voting at the precinct and must be arranged in the form and manner prescribed by the secretary of state.
4. ~~The members of the election board shall challenge the right of anyone to vote whom they know or have reason to believe is not a qualified elector by requiring the elector to complete and sign a voter's affidavit.~~
5. Each member of the election board shall remain on the premises of the polling place during the time the polls are open to prevent the occurrence of fraud, deceit, or other irregularity in the conduct of the election.
- 6-5. All members of the election board shall distribute ballots and other election materials to electors. An election judge from each party represented on the election board shall give any assistance requested by electors in marking ballots or operating electronic voting system devices.
- 7-6. Each member of the election board shall maintain order in the polling place.

**SECTION 5. AMENDMENT.** Section 16.1-05-07 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-05-07. Poll clerks to check identification and verify eligibility - Poll clerks to request, correct, and update incorrect information contained in the pollbook.**

1. Before delivering a ballot to an individual according to section 16.1-13-22, the poll clerks shall ~~request~~require the individual to show identification, which includes the individual's residential address and date of birth. The identification may include:
  - a. ~~An~~A driver's license or nondriver photo identification card issued by the department of transportation or other official form of identification issued by the state;
  - b. An official form of identification issued by a tribal government;
  - c. A form of identification prescribed by the secretary of state, if the individual does not possess an official form of identification provided for under subdivision a or b; or
  - d. A combination of any of the forms of identification under subdivisions a through c.
2. ~~If an individual offering to vote does not have or refuses to show an appropriate form of identification, the individual may be allowed to vote without being challenged according to section 16.1-05-06 if the individual provides to the election board the individual's date of birth and if a member of the election board or a clerk knows the individual and can personally vouch that the individual is a qualified elector of the precinct.~~

- ~~3. If an individual offering to vote does not meet either of the options set forth in subsection 1 or 2, the election board shall challenge the individual's right to vote and the individual may not vote unless the individual executes a voter's affidavit, as provided in section 16.1-05-06.~~
4. a. When verifying an individual's eligibility or when entering the name of an individual into the pollbook, poll clerks shall request, correct, and update any incorrect or incomplete information about an individual required to be included in the pollbook generated from the central voter file.
- b. If the individual's name is contained in the pollbook generated from the central voter file, the poll clerks shall verify the individual's residential address and mailing address, if different from the individual's residential address.
- c. If the individual's name is not contained in the pollbook generated from the central voter file but the individual is determined eligible to vote, the poll clerks shall record the individual's name in the pollbook. The poll clerks shall request and obtain any additional information for the individual required to be included in the pollbook.
- ~~5.3.~~ Poll clerks shall direct an individual who is attempting to vote in the incorrect precinct to the proper precinct and voting location.

**SECTION 6. AMENDMENT.** Section 16.1-07-06 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-07-06. Application form.**

1. Application for an absent voter's ballot must be made on a form, prescribed by the secretary of state, to be furnished by the proper officer of the county, city, or school district in which the applicant is an elector, on any form, approved by the secretary of state, or any blank containing the following information:
- a. The applicant's name.
- b. The applicant's current or most recent North Dakota residential address.
- c. The applicant's mailing address.
- d. The applicant's current contact telephone number.
- e. The election for which the ballot is being requested.
- f. The date of the request.
- g. An affirmation that the applicant has resided, or will reside, in the precinct for at least thirty days next preceding the election.
- h. The applicant's signature.
- i. A space for the voter to indicate the voter's status as a citizen living outside the United States, a uniformed service member living away from the voter's North Dakota residence, or a family member of the uniformed service member living away from the voter's North Dakota residence.
- j. The applicant's birth date and year.
- k. The applicant's motor vehicle operator's license or nondriver identification number, ~~if available.~~

If the applicant is unable to sign the applicant's name, the applicant shall mark (X) or use the applicant's signature stamp on the application in the presence of a disinterested individual. The disinterested individual shall print the name of the individual marking the X or using the signature stamp below the X or signature stamp and shall sign the disinterested individual's own name following the printed name together with the notation "witness to the mark".

2. The application for a qualified elector serving on active duty as a uniformed service member or a family member who is a qualified elector and stationed at a location other than that individual's voting residential address must include the following additional information if the voter desires to vote by facsimile or electronic mail:
  - a. Facsimile telephone number; or
  - b. Electronic mail address.
3. The application for a qualified elector living outside the United States must include a facsimile telephone number or electronic mail address if the voter desires to vote by facsimile or electronic mail.
4. Except for the applicant's date of birth and motor vehicle driver's license or nondriver photo identification card number, the application is an open record under section 44-04-18.

**SECTION 7. AMENDMENT.** Section 39-06-03.1 of the North Dakota Century Code is amended and reenacted as follows:

**39-06-03.1. Nondriver photo identification card issued by director - Release of information - Penalty - Public awareness.**

1. The director shall issue a nondriver color photo identification card to any North Dakota resident who fulfills the requirements of this section. An application for an identification card must be made on a form furnished by the director. Within thirty days from receipt of a complete application that includes the applicant's social security number, unless the applicant is a nonimmigrant who is not eligible for a social security number, the director shall determine whether to issue and, if appropriate, issue a nondriver photo identification card to an applicant. If the person is under the age of eighteen or at least the age of eighteen and under the age of twenty-one, the photo must be against the same color background required on a motor vehicle operator's license for an operator of that age. Subject to subsection 1 of section 39-06-19, identification cards expire eight years from the date of issue and may be renewed. The application must contain such other information as the director may require to improve identity security. The director may require an applicant for an identification card to provide a social security card and proof of residence address.
2. To confirm the identity, date of birth, and legal presence of the applicant, the director or examining officer shall require satisfactory evidence be provided by the applicant. Satisfactory evidence includes a certified copy of the applicant's birth certificate or other evidence reasonably calculated to permit the determination of the date of birth, identification, and legal presence of the applicant by the director or examining officer.
3. ~~The fee is eight dollars. Fees collected pursuant to this section must be paid monthly into the highway fund in the state treasury.~~ Except as provided in subsection 9, the director may not charge a fee to provide a nondriver photo identification card to an eligible applicant.
4. Any information obtained by the director from an applicant for the issuance, renewal, or replacement of an identification card issuable

pursuant to this chapter may only be released in accordance with the provisions of section 39-16-03.

5. It is a class B misdemeanor for any person, except the director or the director's authorized agent, to print or otherwise produce or reproduce cards or their components, which may be utilized as identification cards issued pursuant to this section.
6. The director may advertise the availability and the use of the card.
7. Identification cards issued pursuant to this section are sufficient identification for all identification purposes.
8. The director shall cancel any card upon determining that the holder is not entitled to the issuance of the card under the laws of this state, or the holder has failed to give the required or correct information to the director, or has committed fraud in making the application, or the fee was in the form of an insufficient or no-account check. Upon cancellation, the holder shall surrender the card to the director. When a cancellation is in effect, any law enforcement officer may take custody of the card.
9. A duplicate card may be obtained by making an application and paying an eight dollar fee. For a cardholder who has reached the age of eighteen or twenty-one, a replacement card may be obtained by making an application and paying an eight dollar fee.
10. The director may not withhold the issuance of a nondriver color photo identification card without reasonable cause.
11. An individual who possesses a driver's license may not obtain a nondriver photo identification card.

**SECTION 8. REPEAL.** Sections 16.1-05-06 and 58-04-09 of the North Dakota Century Code are repealed."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1343: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 1 NAYS, 3 ABSENT AND NOT VOTING). HB 1343 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "4-12.1" with "4-12.2"

Page 1, line 4, replace "4-12.1" with "4-12.2"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1347: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1347 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1352: Energy and 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). HB 1352 was placed on the Sixth order on the calendar.

Page 1, line 1, after "38-11.1" insert "and a new section to chapter 47-16"

Page 1, line 2, after "disputes" insert "and resolution of title disputes"

Page 1, line 8, remove "require the parties to submit the matter to"

Page 1, replace lines 9 through 13 with "involve the North Dakota mediation service or other civil mediator. Involvement of a mediator may comply with Rule 8.8 of the North Dakota Rules of Court for purposes of alternative dispute resolution compliance. The cost of the mediator must be mediated between the parties. If the parties are unable to reach an agreement regarding the cost of the mediator through mediation, each party shall pay an equal portion of the mediator's compensation. The compensation of the mediator must be at least one hundred seventy dollars per hour.

**SECTION 2.** A new section to chapter 47-16 of the North Dakota Century Code is created and enacted as follows:

**Resolution of title disputes.**

If the mineral owner and mineral developer disagree over the mineral owner's ownership interest in a spacing unit, the mineral developer shall furnish the mineral owner with a description of the conflict and the proposed resolution or with that portion of the title opinion that concerns the disputed interest."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1365: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1365 was placed on the Sixth order on the calendar.

Page 1, line 13, remove "for which the"

Page 1, line 14, replace "member submits a voucher and which is" with "or to a meeting or function that is outside the member's district but which is located within a county that includes at least a portion of that member's district. A member of the legislative assembly is entitled to reimbursement under this subdivision only if the meeting or function is"

Page 1, line 15, after the underscored period, insert "The reimbursement a member receives under this subdivision may not exceed two hundred dollars per year."

Page 1, line 15, replace the second "the" with "submitting a"

Page 1, line 15, after "voucher" insert "for the travel"

Page 1, line 16, replace the second "the" with "an appropriately authorized"

Page 1, line 17, after "who" insert "represents the entity that"

Page 1, line 17, after "function" insert an underscored comma

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1368: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1368 was placed on the Sixth order on the calendar.

Page 2, line 7, after "to" insert "eighty percent of"

Page 2, line 12, after "to" insert "eighty percent of"

Page 2, line 16, after "to" insert "eighty percent of"

Page 2, line 23, remove the overstrike over "ninety percent of"

Page 2, line 27, after "to" insert "eighty percent of"

Page 3, line 2, after "to" insert "eighty percent of"

Page 3, line 5, after "to" insert "eighty percent of"

Page 3, line 8, after "expense" insert "not to exceed ninety percent of the rate established by the United States general services administration for lodging reimbursement in the city for which the claim is made, plus any additional applicable state and local taxes"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1393: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1393 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "five" with "three"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1399: 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, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1399 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "legal action by"

Page 1, line 1, after "general" insert "to consider bringing legal action"

Page 1, line 6, replace "bring" with "consider bringing"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1424: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1424 was placed on the Sixth order on the calendar.

Page 1, after line 14, insert:

"Any contract entered or grant awarded by the department of veterans' affairs under this section must include provisions allowing oversight and monitoring and accountability measures and outcome reporting regarding the use of the funds."

Page 1, line 16, after "report" insert "quarterly"

Page 1, line 17, remove "by September 1, 2014,"

Page 1, line 18, after "provided" insert ", including related accountability measures and outcomes,"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment requires the Department of Veterans' Affairs to include accountability measures, oversight, monitoring, and outcome reporting in the contracts and grants awarded to provide services. This amendment also requires the Department of Veterans' Affairs to report quarterly to the Legislative Management regarding outcomes and its monitoring of the

contracts and grants.

#### REPORT OF STANDING COMMITTEE

**HB 1425: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1425 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "fifteen" with "thirty"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1427: Political Subdivisions Committee (Rep. N. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1427 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "Local regulation -"

Page 1, remove lines 7 through 10

Page 1, line 11, replace "2." with "1."

Page 1, line 12, remove "sale."

Page 1, line 13, remove "scope exceeds twenty sprinkler"

Page 1, line 14, replace "heads or" with "has"

Page 1, line 14, after "dollars" insert "or more"

Page 1, after line 16 insert:

"2. If authorized by the attorney general, the state fire marshal may contract to provide fire sprinkler plan review and site inspection services to a city, county, or township that regulates the design, installation, or modification of fire sprinkler systems."

Page 1, line 20, replace "subsection 2" with "this section"

Page 1, line 21, remove "project subject to"

Page 1, line 22, replace "subsection 2" with "this section"

Page 1, line 22, after "inspection" insert "by the state fire marshal"

Page 1, line 23, remove "applicable codes and meets national fire protection"

Page 2, line 1, replace "association standards" with "the state building code."

Page 2, after line 2, insert:

"5. This section does not affect the provision under subsection 4 of section 54-21.3-03 which prohibits a city, township, or county from including in a building code any requirement that fire sprinklers be installed in a single family dwelling or a residential building that contains no more than two dwelling units."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1431: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1431 was placed on

the Sixth order on the calendar.

Page 1, line 6, replace "**Jake**" with "**Engine**"

Page 1, line 7, replace "break" with "brake"

Page 1, line 9, remove "The department shall post these zones on state highways."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1439: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1439 was placed on the Sixth order on the calendar.

Page 1, line 1, after the third "for" insert "programs to serve veterans,"

Page 1, line 7, replace "\$2,000,000" with "\$500,000"

Page 1, after line 10, insert:

**"SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the department of veterans' affairs for the purpose of providing a grant to the administrative committee on veterans' affairs for programs authorized by law to benefit and serve veterans or their dependents, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1447: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1447 was placed on the Sixth order on the calendar.

Page 6, line 13, replace "February" with "May"

Page 7, line 23, replace "February" with "May"

Page 8, line 1, replace "February" with "May"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1452: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1452 was placed on the Sixth order on the calendar.

Page 1, line 2, replace the first "and" with a comma

Page 1, line 2, after "54-52.6-02" insert ", and 54-52.6-15"

Page 2, line 12, replace "elects to participate in the retirement plan under this chapter" with "is hired after July 30, 2013"

Page 6, line 3, remove "The board shall provide an"

Page 6, remove lines 4 and 5

Page 6, line 6, replace "pursuant to rules adopted by the board." with "At the time of hire the board shall provide an opportunity for an eligible employee to elect to participate in the defined contribution retirement plan under this chapter in lieu of the public employees retirement system under chapter 54-52, pursuant to rules adopted by the board. A new hire may exercise this election anytime from the time of hire until the expiration of thirty days following the completion of a probationary period. If an eligible employee's terms of employment do not provide for a probationary period, that eligible employee has thirty days following the first day of employment within which to exercise this election."

Page 6, line 6, remove "a member of the public"

Page 6, line 7, replace "employees retirement system under chapter 54-52 to transfer to" with "an eligible employee to participate in"

Page 6, line 8, remove "For an individual who"

Page 6, line 9, replace "elects to transfer" with "In the case of an eligible employee who makes an election after the date of hire, the election will have the effect of that eligible employee transferring"

Page 6, line 10, after the underscored comma insert "and"

Page 7, after line 21, insert:

**"SECTION 4. AMENDMENT.** Section 54-52.6-15 of the North Dakota Century Code is amended and reenacted as follows:

**54-52.6-15. Board to provide information.**

The board shall provide information to new hires and employees who are eligible to elect to become participating members under this chapter. The information must include at a minimum the employee's current account balance, the assumption of investment risk under a defined contribution retirement plan, administrative and investment costs, coordination of benefits information, and a comparison of projected retirement benefits under the public employees retirement system under chapter 54-52 and the retirement plan established under this chapter. Notwithstanding any other provision of law, the board is not liable for any election or investment decision made by an employee based upon information provided to an employee under this chapter."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3026: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3026 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**

