

JOURNAL OF THE HOUSE

Sixty-third Legislative Assembly

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Bismarck, February 12, 2013

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

The prayer was offered by Pastor Dale Nabben, ELCA, Bismarck.

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

A quorum was declared by the Speaker.

REQUEST

REP. ONSTAD REQUESTED that the amendments to HB 1332 be heard separately, which request was granted.

SIXTH ORDER OF BUSINESS

SPEAKER DEVLIN DEEMED approval of the amendments to HB 1048, HB 1140, HB 1144, HB 1200, HB 1205, HB 1212, Engrossed HB 1249, HB 1259, HB 1304, HB 1323, HB 1343, HB 1352, HB 1365, HB 1368, HB 1393, HB 1399, HB 1424, HB 1425, HB 1427, HB 1431, HB 1439, HB 1447, and HB 1452.

HB 1140, HB 1205, HB 1212, HB 1304, HB 1365, HB 1368, HB 1399, HB 1424, and HB 1452, as amended, were rereferred to the **Appropriations Committee**.

HB 1048, HB 1144, HB 1200, Engrossed HB 1249, HB 1259, HB 1323, HB 1343, HB 1352, HB 1393, HB 1425, HB 1427, HB 1431, HB 1439, and HB 1447, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

HB 1332: REP. KARLS (Government and Veterans Affairs Committee) MOVED that the amendments be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**.

REQUEST

REP. MOCK REQUESTED a verification vote, which request was granted.

The proposed amendments to HB 1332 were adopted on a verification vote.

HB 1332, as amended, was rereferred to the **Appropriations Committee**.

MOTION

REP. VIGESAA MOVED that Engrossed HB 1323, which is on the Sixth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, Engrossed HB 1323 was rereferred.

MOTION

REP. VIGESAA MOVED that HB 1256, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

MOTION

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

SECOND READING OF HOUSE BILL

HB 1396: A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to reassessment of property that has been sold for less than its most recently assessed true and full value; 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 5 YEAS, 84 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Bellew; Koppelman, B.; Koppelman, K.; Looyesen; Ruby

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

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

HB 1396 failed.

SECOND READING OF HOUSE BILL

HB 1222: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for clothing; to provide a continuing appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 25 YEAS, 63 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kasper; Kelsh, J.; Kelsh, S.; Kretschmar; Mock; Monson; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Strinden; Thoreson

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

ABSENT AND NOT VOTING: Brandenburg; Heilman; Kempenich; Wall; Williams; Zaiser

Engrossed HB 1222 failed.

SECOND READING OF HOUSE BILL

HB 1240: 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 sales tax exemption for charitable nonprofit organizations; and to provide an effective date.

CONFLICT OF INTEREST

REP. MOCK STATED that he had a conflict of interest on Engrossed HB 1240.

MOTION

REP. CARLSON MOVED that Rep. Mock be allowed to vote on Engrossed HB 1240, which motion prevailed.

CONFLICT OF INTEREST

REP. HOGAN STATED that she had a conflict of interest on Engrossed HB 1240.

MOTION

REP. CARLSON MOVED that Rep. Hogan and all other Representatives with a conflict of interest be allowed to vote on Engrossed HB 1240, which motion prevailed.

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 33 YEAS, 56 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Boe; Boschee; Delmore; Fehr; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hogan; Holman; Hunskor; Johnson, N.; Kelsh, J.; Kelsh, S.; Kretschmar; Larson; Looyen; Mock; Monson; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Rust; Sanford; Steiner; Strinden

NAYS: Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Carlson; Damschen; Delzer; Dockter; Dosch; Drovda; Frantsov; Froseth; Grande; Headland; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Louser; Maragos; Martinson; Meier; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Silbernagel; Skarphol; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Speaker Devlin

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

Engrossed HB 1240 failed.

SECOND READING OF HOUSE BILL

HB 1300: A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for property of churches; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 6 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Boe; Boschee; Delmore; Gruchalla; Keiser; Mock

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

Engrossed HB 1300 passed.

SECOND READING OF HOUSE BILL

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

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 18 YEAS, 70 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Boschee; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Onstad; Oversen; Strinden

NAYS: Anderson; Beadle; Becker; Bellew; Belter; Boe; Brabandt; Carlson; Damschen; Delmore; 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; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; 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: Boehning; Brandenburg; Heilman; Wall; Williams; Zaiser

Engrossed HB 1330 failed.

SECOND READING OF HOUSE BILL

HB 1384: A BILL for an Act to create and enact a new section to chapter 50-24.5 of the North Dakota Century Code, relating to housing as an allowable expense in establishing basic care facility payment rates; and to amend and reenact sections 50-24.4-01 and 50-24.4-15 of the North Dakota Century Code, relating to housing as a cost or employee benefit in the ratesetting system for nursing homes.

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, 65 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Boschee; Fehr; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Heller; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Kreidt; Mock; Mooney; Muscha; Oversen; Strinden; Sukut; Wieland

NAYS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Brabandt; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Frantsvog; Froseth; Grande; Hawken; Headland; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Thoreson; Toman; Trottier; Vigasaa; Weisz; Speaker Devlin

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

HB 1384 failed.

SECOND READING OF HOUSE BILL

HB 1453: A BILL for an Act to provide for a nurse triage program in the state department of health; and to provide an appropriation.

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, 69 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak;

Hanson; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Strinden

NAYS: Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Monson; 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: Brandenburg; Heilman; Wall; Williams; Zaiser

HB 1453 failed.

SECOND READING OF HOUSE BILL

HB 1457: A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to a workforce safety and insurance liaison program for injured workers.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 68 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; 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; Looyesen; Louser; Maragos; Martinson; Meier; Monson; 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: Brandenburg; Heilman; Wall; Williams; Zaiser

HB 1457 failed.

SECOND READING OF HOUSE BILL

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

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, 60 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Beadle; Bellew; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Karls; Kelsh, J.; Kelsh, S.; Koppelman, K.; Looyesen; Maragos; Martinson; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Ruby; Strinden; Thoreson

NAYS: Anderson; Becker; Belter; Boe; Boehning; Brabandt; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Kasper; Keiser; Kempenich;

Kiefert; Klein; Klemin; Koppelman, B.; Kreidt; Kretschmar; Kreun; Laning; Larson; Louser; Meier; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Toman; Trottier; Vigasaa; Weisz; Wieland; Speaker Devlin

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

HB 1328 failed.

SECOND READING OF HOUSE BILL

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

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 21 YEAS, 68 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Beadle; Boe; Boschee; Brabandt; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Kelsh, S.; Koppelman, B.; Kreun; Maragos; Mock; Monson; Mooney; Muscha; Oversen; Strinden

NAYS: Amerman; Anderson; Becker; Bellew; Belter; Boehning; Carlson; Damschen; Delzer; Dockter; Dosch; Drovda; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyen; Louser; Martinson; Meier; Nathe; Nelson, J.; Nelson, M.; Onstad; 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: Brandenburg; Heilman; Wall; Williams; Zaiser

Engrossed HB 1331 failed.

SECOND READING OF HOUSE BILL

HB 1359: A BILL for an Act to amend and reenact sections 49-07-01.1, 49-23-04, and 49-23-05 of the North Dakota Century Code, relating to the one-call notice system; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 7 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Boe; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Dockter; Dosch; Drovda; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; 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; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Wieland; Speaker Devlin

NAYS: Bellew; Belter; Delzer; Grande; Headland; Koppelman, B.; Pollert

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

Engrossed HB 1359 passed.

SECOND READING OF HOUSE BILL

HB 1360: A BILL to provide for the funding of the program of all-inclusive care for the elderly within the department of human services appropriation.

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 85 YEAS, 4 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Delzer; Kreidt; Wieland

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

Engrossed HB 1360 passed.

SECOND READING OF HOUSE BILL

HB 1412: A BILL for an Act to amend and reenact sections 5-01-08, 5-01-09, and 14-10-06 of the North Dakota Century Code, relating to immunity from criminal liability in medical emergencies involving drugs or alcohol.

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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

Engrossed HB 1412 passed.

SECOND READING OF HOUSE BILL

HB 1432: A BILL 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.

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 33 YEAS, 56 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson; Bellew; Boehning; Brabandt; Drovdal; Fehr; Froseth; Grande; Hanson; Hatlestad; Headland; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Meier; Monson; Nathe; Owens; Paur; Pollert; Ruby; Schatz; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Weisz; Wieland; Speaker Devlin

NAYS: Amerman; Beadle; Becker; Belter; Boe; Boschee; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hawken; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Porter; Rohr; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Toman; Vigasaa

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

Engrossed HB 1432 failed.

SECOND READING OF HOUSE BILL

HB 1454: A BILL for an Act to provide for a legislative management study of access to dental services.

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 78 YEAS, 11 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Belter; Boe; Boehning; Boschee; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; 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; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Silbernagel; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wieland; Speaker Devlin

NAYS: Bellew; Brabandt; Delzer; Drovdal; Kasper; Kempenich; Pollert; Schmidt; Skarphol; Streyle; Weisz

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

Engrossed HB 1454 passed.

SECOND READING OF HOUSE BILL

HB 1213: A BILL for an Act to amend and reenact section 23-11-29 of the North Dakota Century Code, relating to the real property tax exemption status of a housing authority; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad;

Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Wieland; Speaker Devlin

NAYS: Delzer; Ruby

ABSENT AND NOT VOTING: Brandenburg; Heilman; Wall; Williams; Zaiser

HB 1213 passed.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2005, SB 2010, SB 2011, SB 2016, SB 2144, SB 2152, SB 2311, SB 2360, SCR 4008.

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 2075.

MOTION

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

MOTION

REP. VIGASAA 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., Wednesday, February 13, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1037: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1037 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1039: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1039 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1190: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1190 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** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1209 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1231: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1231 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 federal motor carrier safety regulations."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - FEDERAL MOTOR CARRIER SAFETY REGULATIONS. During the 2013-14 interim, the legislative

management shall consider studying federal motor carrier safety regulations and the feasibility and desirability of adopting state regulations that are not in compliance with federal regulations, especially relating to an intrastate exemption from hours of service for oilfield drivers. The study must include a cost benefit analysis of the cost to the state in funding and the benefit to the industry. 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 1237: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1237 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1247: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1247 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "1."

Page 1, remove lines 10 and 11

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1272: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 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 1, after "37-01-40" insert ", provided the veteran is eligible to transfer entitlement under the Post 9-11 Veterans Educational Assistance Act of 2008 [38 U.S.C. 3301]"

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

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1296: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1296 was placed on the

Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1333: 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 1333 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "three"

Page 1, line 3, after "reenact" insert "subsection 2 of section 38-08-04,"

Page 1, line 4, replace the first "subsection" with "subsections 1 and"

Page 1, line 4, replace the "and" with "subsection 6 of section 38-08-15, subsection 1 of section 38-08-16, section 38-08-23, and"

Page 1, line 5, after "to" insert "saltwater disposal wells, the abandoned oil and gas well plugging and site reclamation fund,"

Page 1, line 5, after "facilities" insert a comma

Page 1, line 8, replace "Two" with "Three"

Page 1, after line 18, insert:

""Underground gathering pipeline" means an underground gas or liquid pipeline that is designed for or capable of transporting crude oil, natural gas, carbon dioxide, or water produced in association with oil and gas which is not subject to chapter 49-22.

SECTION 2. AMENDMENT. Subsection 2 of section 38-08-04 of the North Dakota Century Code is amended and reenacted as follows:

2. To regulate:
 - a. The drilling, producing, and plugging of wells, the restoration of drilling and production sites, and all other operations for the production of oil or gas.
 - b. The shooting and chemical treatment of wells.
 - c. The spacing of wells.
 - d. Operations to increase ultimate recovery such as cycling of gas, the maintenance of pressure, and the introduction of gas, water, or other substances into producing formations.
 - e. Disposal of saltwater and oilfield wastes.
 - f. Saltwater disposal wells and all associated facilities, including safety relating to location and road access to disposal wells and all associated facilities.
 - g. The underground storage of oil or gas.

Page 2, after line 27, insert:

"SECTION 4. AMENDMENT. Subsection 1 of section 38-08-04.5 of the North Dakota Century Code is amended and reenacted as follows:

1. Revenue to the fund must include:

- a. Fees collected by the oil and gas division of the industrial commission for permits or other services.
- b. Moneys received from the forfeiture of drilling and reclamation bonds.
- c. Moneys received from any federal agency for the purpose of this section.
- d. Moneys donated to the commission for the purposes of this section.
- e. Moneys received from the state's oil and gas impact fund.
- f. Moneys recovered under the provisions of section 38-08-04.8.
- g. Moneys recovered from the sale of equipment and oil confiscated under section 38-08-04.9.
- h. Moneys transferred from the cash bond fund under section 38-08-04.11.
- i. Such other moneys as may be deposited in the fund for use in carrying out the purposes of plugging or replugging of wells or the restoration of well sites.
- j. Civil penalties assessed under section 38-08-16."

Page 3, after line 5, insert:

"SECTION 6. AMENDMENT. Subsection 6 of section 38-08-15 of the North Dakota Century Code is amended and reenacted as follows:

6. All proceeds derived from the sale of illegal oil, illegal gas, or illegal product, as above provided, after payment of costs of suit and expenses incident to the sale ~~and all amounts paid as penalties provided for by this chapter~~ must be paid to the state treasurer and credited to the general fund.

SECTION 7. AMENDMENT. Subsection 1 of section 38-08-16 of the North Dakota Century Code is amended and reenacted as follows:

1. Any person who violates any provision of this chapter, or any rule, regulation, or order of the commission is subject to a civil penalty to be imposed by the commission not to exceed twelve thousand five hundred dollars for each offense, and each day's violation is a separate offense, unless the penalty for the violation is otherwise specifically provided for and made exclusive in this chapter. Any such civil penalty may be compromised by the commission. All amounts paid as civil penalties must be deposited in the abandoned oil and gas well plugging and site reclamation fund. The penalties provided in this section, if not paid, are recoverable by suit filed by the attorney general in the name and on behalf of the commission, in the district court of the county in which the defendant resides, or in which any defendant resides, if there be more than one defendant, or in the district court of any county in which the violation occurred. The payment of the penalty may not operate to legalize any illegal oil, illegal gas, or illegal product involved in the violation for which the penalty is imposed, or to relieve a person on whom the penalty is imposed from liability to any other person for damages arising out of the violation.

SECTION 8. AMENDMENT. Section 38-08-23 of the North Dakota Century Code is amended and reenacted as follows:

38-08-23. Plats.

Any person reclaiming a drilling pit or reserve pit after the completion of oil and gas drilling operations shall record an accurate plat certified by a registered surveyor showing the location of the well and notice that an abandoned drilling pit or reserve pit may be on the location within six months of the completion of the reclamation with the recorder of the county in which the drilling pit or reserve pit is located. A plat filed for record in accordance with this section may be recorded without acknowledgment or further proof as required by chapter 47-19 and without the auditor's certificate referred to in section 11-18-02."

Page 4, after line 2, insert:

"4. Upon request by the tax commissioner, the commission may allow access to information contained in the geographic information system database to the tax commissioner to be used for the sole purpose of administering the valuation and assessment of centrally assessed underground gathering pipeline property under chapter 57-06. The information obtained under this subsection is confidential and may be used only for the purposes identified in this subsection."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1349: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1349 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 reclamation standards.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - OIL AND GAS RECLAMATION STANDARDS.**

1. During the 2013-2014 interim, the legislative management shall study whether reclamation standards related to oil and gas development can be improved to ensure the successful reclamation of agricultural lands in this state, and to ensure that productivity of these agricultural lands following reclamation is as near as possible to the land's productivity before being used for oil and gas production. The study may include consideration of:
 - a. Whether performance standards found in North Dakota Administrative Code chapter 69-05.2 and used by the North Dakota public service commission for reclamation of surface coal-mined lands should be utilized by the North Dakota industrial commission for reclamation of lands used for oil and gas development.
 - b. Whether additional and more detailed reclamation standards should be included in state law and administrative rule, what standards should be included, and in what manner such standards should be included.
 - c. Input from representatives from the department of mineral resources, the school of natural resource sciences' department of soil science at North Dakota state university, the department of trust lands, the public service commission, the state department of health, landowner groups, and professional soil classifiers regulated by the state board of registration for professional soil classifiers.

2. 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 1355: 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 1355 was placed on the Sixth order on the calendar.

Page 1, replace lines 7 through 13 with:

- "1. This section applies to an oil and gas lease executed after July 31, 2013. As used in an oil and gas lease, unless otherwise expressly provided in the oil and gas lease, the terms "engaged in drilling or reworking operations" or "commence drilling or reworking operations" mean:
 - a. Well site preparation, staking, and surveying in connection with the drilling of a well on the leased premises or lands pooled must occur before the expiration of the primary term.
 - b. The drill site must be substantially completed and in a condition that a drilling rig can be moved on the location within fifteen days of the expiration of the primary term.
 - c. For one well located on a single well drilling pad, a drilling rig capable of drilling to at least the total vertical depth permitted must be located at the site within forty-five days of the expiration of the primary term.
 - d. For multiple wells located on a drilling pad constructed for two or more wells, a drilling rig capable of drilling to at least the total vertical depth must be located at the site within ninety days of the expiration of the primary term.
2. If the activities required under this section are delayed or interrupted by event of force majeure, the time of such delay or interruption during the force majeure event must be added to the deadlines set forth in this section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1356, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed 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 superintendent of public instruction to study early childhood care and education.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. EARLY CHILDHOOD CARE AND EARLY CHILDHOOD EDUCATION - STUDY BY SUPERINTENDENT OF PUBLIC INSTRUCTION - REPORT TO LEGISLATIVE MANAGEMENT.

1. The superintendent of public instruction shall study the development, delivery, and administration of comprehensive early childhood care 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 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 superintendent of public instruction may appoint a committee, work groups, task forces, and subcommittees, as necessary, to provide or obtain information required in conjunction with this study.
3. Before June 1, 2014, the superintendent of public instruction shall provide a final report, together with recommendations, to the legislative management."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1380: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1380 was placed on the Sixth order on the calendar.

Page 1, line 3, after "against" insert "certain"

Page 2, line 9, replace "~~that~~" with "for which the owner's primary revenue source is fees charged to users or clients or revenues from federal funding sources, or a combination of both of those revenue sources, which"

Page 4, line 14, replace "improvement district" with "municipality"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1429: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1429 was placed on the Sixth order on the calendar.

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

Page 1, line 3, remove "education grants"

Page 1, line 10, after "and" insert ", provided the program is approved by the superintendent of public instruction in accordance with chapter 15.1-37,"

Page 1, remove lines 16 through 24

Page 2, remove lines 1 through 14

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1463: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1463 was placed on the Sixth order on the calendar.

Page 1, line 11, overstrike "of fifty percent or greater"

Page 1, line 17, overstrike "five" and insert immediately thereafter "nine"

Page 1, line 17, overstrike "four hundred"

Page 2, line 31, replace "four" with "two"

Page 3, line 24, after "family" insert "and "income" has the meaning provided in section 57-02-08.1"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1464: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1464 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "two hundred" with "one hundred ten"

Page 1, line 20, replace "two hundred" with "one hundred ten"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1466: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1466 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 15.1-27 of the North Dakota Century Code, relating to contracts for the provision of educational services by nonpublic schools.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-27 of the North Dakota Century Code is created and enacted as follows:

Educational services by nonpublic schools - Contracts - Reporting.

1. Before the tenth day of September, each parent intending to meet the compulsory attendance requirements by enrolling a child in an approved nonpublic school as permitted by chapter 15.1-20 shall file a form with the superintendent of the child's school district of residence indicating that fact.
2. The form must be developed by the superintendent of public instruction and made available in printed and electronic form.
3. Upon receiving the notification, the child's school district of residence shall contract with the approved nonpublic school for the provision of educational services to the child. The amount agreed to by the school district in accordance with the contract may not exceed twenty-five percent of the school district's educational cost per student.
4. At the time and in the manner required by the superintendent of public instruction, each school district entering a contract under this section shall submit documentation indicating the amount agreed to in accordance with each contract. The superintendent of public instruction shall consolidate the district's contractual obligations and forward the amount owed directly to the contracting nonpublic school.
5. Each year the superintendent of public instruction shall publish in electronic form:
 - a. The number of contracts entered in accordance with this section, by school district;
 - b. The cost of the contracts, by school district; and
 - c. Using each district's educational cost per student, the cost that would have been incurred by each district in providing educational services to the students.

6. For purposes of this section, a school district may contract for educational services only with an approved nonpublic school that is exempt from the payment of federal income taxes."

Renumber accordingly

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Kretschmar, Brabandt, Delmore, Maragos, Paur and Sens. Erbele, Lyson introduced:

HCR 3034: A concurrent resolution to amend and reenact sections 5, 6. and 7 of article III of the Constitution of North Dakota, relating to petition requirements for initiated measures.

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

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

Buell J. Reich, Chief Clerk

