

JOURNAL OF THE HOUSE

Sixty-third Legislative Assembly

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Bismarck, March 11, 2013

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

The prayer was offered by Pastor Curt Dikoff, Child Evangelism Fellowship, Bismarck..

The roll was called and all members were present except Representatives Paur, Strinden, and Wall.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. J. KELSH rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE J. KELSH

MR. SPEAKER, MEMBERS OF THE HOUSE: I'd like to take a minute to recognize our Class B State Champions in boys' basketball, the Milnor Bison. The team did a fantastic job with each of their games, first against Shiloh Christian, then going on to defeat LaMoure-Litchville-Marion, and finally taking the championship in a competitive win against Four Winds. Each team did a great job and that made for a great tournament, but Milnor is the champion and on behalf of District 26 and the rest of the legislature, we are all very proud of the hard work and talent seen on the courts. We would like to congratulate Milnor on their big win. Thank you.

REQUEST

REP. MOCK REQUESTED that the remarks of Rep. J. Kelsh be printed in the Journal, which request was granted on a voice vote.

SIXTH ORDER OF BUSINESS

SPEAKER DEVLIN DEEMED approval of the amendments to SB 2069.

SB 2069, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2083: A BILL for an Act to create and enact three new subsections to section 43-48-03 of the North Dakota Century Code, relating to exemptions from clinical laboratory practice licensing requirements; to amend and reenact subsection 3 of section 43-48-05 of the North Dakota Century Code, relating to terms of North Dakota board of clinical laboratory practice members; and to repeal section 43-48-12 of the North Dakota Century Code, relating to clinical laboratory practice licensing grandfather provisions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Paur; Strinden; Wall

SB 2083, as amended, passed.

SECOND READING OF SENATE BILL

SB 2039: A BILL for an Act to create and enact four new subsections to section 39-01-01, section 39-06-14.1, and a new subsection to section 39-06.2-09 of the North Dakota Century Code, relating to definitions and motorcycle and commercial licenses; to amend and reenact subsection 60 of section 39-01-01, sections 39-06-01, 39-06-01.1, 39-06-01.2, 39-06-02, 39-06-03, 39-06-03.1, 39-06-04, 39-06-05, 39-06-06, 39-06-07, 39-06-07.1, 39-06-07.2, 39-06-08, 39-06-09, 39-06-10, 39-06-11, 39-06-12, 39-06-13, 39-06-13.1, 39-06-14, 39-06-16, 39-06-17, 39-06-18, 39-06-19, 39-06-19.1, 39-06-20, 39-06-21, 39-06-22, 39-06-24, 39-06-25, 39-06-26, 39-06-27, 39-06-28, 39-06-31, 39-06-32, 39-06-32.1, 39-06-33, 39-06-34, 39-06-34.1, 39-06-35, 39-06-36, 39-06-37, 39-06-38, 39-06-40, 39-06-40.1, 39-06-42, 39-06-43, 39-06-44, 39-06-45, 39-06-46, 39-06-47, 39-06-48, 39-06-49, 39-06.1-08, and 39-06.1-09, subsection 3 of section 39-06.1-11, and section 39-16-03 of the North Dakota Century Code, relating to the privilege to operate a motor vehicle in this state; and to repeal sections 39-06-23, 39-06-30, 39-06-50, 39-06-52, and 39-16.1-02 of the North Dakota Century Code, relating to the privilege to operate a motor vehicle in this state.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall

SB 2039 passed.

SECOND READING OF SENATE BILL

SB 2042: A BILL for an Act to amend and reenact section 39-05-20.3 of the North Dakota Century Code, relating to the refusal to issue a certificate of title for unsafe and unfit vehicles.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wieland; Williams; Speaker Devlin

NAYS: Meier; Monson; Weisz

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser

SB 2042 passed.

SECOND READING OF SENATE BILL

SB 2044: A BILL for an Act to amend and reenact sections 39-06-35, 39-06.1-01, 39-06.1-02, 39-06.1-03, 39-06.1-04, 39-06.1-06, 39-06.1-07, 39-06.1-09, 39-06.1-10, 39-06.1-10.1, 39-06.1-11, 39-06.1-12, 39-06.1-13, 39-06.1-14, and 39-06.1-15 of the North Dakota Century Code, relating to traffic offense administration.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser

SB 2044 passed.

SECOND READING OF SENATE BILL

SB 2048: A BILL for an act to amend and reenact subsection 3 of section 57-51.1-07.1 of the North Dakota Century Code, relating to the resources trust fund.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser

Engrossed SB 2048 passed.

SECOND READING OF SENATE BILL

SB 2049: A BILL for an Act to amend and reenact sections 54-35-02.7 and 61-06-21, subsection 13 of section 61-07-03, and sections 61-24.8-09 and 61-24.8-10 of the North Dakota Century Code and section 4 of chapter 496 of the 2011 Session Laws, relating to the water topics overview committee, irrigation districts, irrigation project financing, and the expiration date of Garrison Diversion Conservancy District irrigation special assessments.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser

SB 2049 passed.

ANNOUNCEMENT

SPEAKER DEVLIN ANNOUNCED the House would be in recess for one minute while Acting Speaker Drovdal approached the rostrum.

THE HOUSE RECONVENED pursuant to recess taken, with Acting Speaker Drovdal presiding.

SECOND READING OF SENATE BILL

SB 2052: A BILL for an Act to amend and reenact section 61-16.1-38 of the North Dakota Century Code, relating to a permit to construct or modify a dam, dike, or other device.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser; Speaker Devlin

SB 2052 passed.

SECOND READING OF SENATE BILL

SB 2053: A BILL for an Act to create and enact a new section to chapter 61-24.6 of the North Dakota Century Code, relating to the sale of property owned by the state water commission obtained for construction of the northwest area water supply project.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser; Speaker Devlin

SB 2053 passed.

SECOND READING OF SENATE BILL

SB 2056: A BILL for an Act to amend and reenact subsection 1 of section 12.1-34-02 and section 12.1-34-06 of the North Dakota Century Code, relating to the statewide automated victim information and notification system.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser; Speaker Devlin

SB 2056 passed.

SECOND READING OF SENATE BILL

SB 2098: A BILL for an Act to amend and reenact sections 39-04-36 and 39-04-39.2 of the North Dakota Century Code, relating to the return of vehicle registration fees; 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 13 YEAS, 76 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Bellew; Boe; Boschee; Delzer; Gruchalla; Guggisberg; Heller; Kelsh, S.; Laning; Nathe; Nelson, M.; Schmidt; Williams

NAYS: Amerman; Anderson; Beadle; Becker; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Larson; Looysen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nelson, J.; Onstad; Oversen; Owens; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Wieland

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser; Speaker Devlin

Engrossed SB 2098 failed.

SPEAKER DEVLIN RETURNED to the rostrum and Acting Speaker Drovdal turned the gavel over to him.

SECOND READING OF SENATE BILL

SB 2139: A BILL for an Act to amend and reenact section 49-22-04 of the North Dakota Century Code, relating to the submission of ten-year plans by a utility.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser

Engrossed SB 2139 passed.

SECOND READING OF SENATE BILL

SB 2143: A BILL for an Act to amend and reenact subsection 1 of section 21-06-07 of the North Dakota Century Code, relating to the investment of public funds.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser

SB 2143 passed.

SECOND READING OF SENATE BILL

SB 2174: A BILL for an Act to create and enact a new section to chapter 49-04 of the North Dakota Century Code, relating to the requirement that a public utility regulated by the public service commission provide advance notification of discontinuance of electric or gas service.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser

Engrossed SB 2174 passed.

SECOND READING OF SENATE BILL

SB 2177: A BILL for an Act to amend and reenact subdivision b of subsection 5 of section 53-06.1-11 of the North Dakota Century Code, relating to rent allowed for gaming machines.

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 74 YEAS, 16 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; 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; Pollert; Porter; Ruby; Sanford; Schatz; Schmidt;

Streyle; Sukut; Thoreson; Toman; Weisz; Wieland; Williams; Speaker Devlin

NAYS: Becker; Belter; Delzer; Drovdal; Froseth; Grande; Headland; Karls; Owens; Rohr; Rust; Silbernagel; Skarphol; Steiner; Trottier; Vigesaa

ABSENT AND NOT VOTING: Paur; Strinden; Wall; Zaiser

Engrossed SB 2177 passed.

MOTION

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

MOTION

REP. VIGESAA MOVED that the House stand adjourned until 1:00 p.m., Tuesday, March 12, 2013, which motion prevailed.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2081, SB 2184.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SCR 4018, SCR 4022.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1042, HB 1043, HB 1078, HB 1088, HB 1098, HB 1124, HB 1137, HB 1164, HB 1339, HCR 3009, HCR 3013.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1083, HB 1107.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1091.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1091

Page 1, line 2, remove the first "and"

Page 1, line 2, after "43-12.1-13" insert ", and 43-12.1-14"

Page 10, after line 4, insert:

"SECTION 10. AMENDMENT. Section 43-12.1-14 of the North Dakota Century Code is amended and reenacted as follows:

43-12.1-14. Grounds for discipline - Penalties.

The board may deny, limit, revoke, encumber, or suspend any license or registration to practice nursing issued by the board or applied for in accordance with this chapter; reprimand, place on probation, or otherwise discipline a licensee, registrant, or applicant; deny admission to licensure or registration examination; ~~provide an alternative to discipline in situations involving impairments of chemical dependency or psychiatric or physical disorders;~~ require evidence of evaluation and treatment; or issue a nondisciplinary letter of concern to a licensee, registrant, or applicant, upon proof that the person:

1. Has been arrested, charged, or convicted by a court, or has entered a plea of nolo contendere to a crime in any jurisdiction that relates adversely to the practice of nursing and the licensee or registrant has not demonstrated sufficient rehabilitation under section 12.1-33-02.1;
2. Has been disciplined by a board of nursing in another jurisdiction, or has had a license or registration to practice nursing or to assist in the practice

- of nursing or to practice in another health care occupation or profession denied, revoked, suspended, or otherwise sanctioned;
3. Has engaged in any practice inconsistent with the standards of nursing practice;
 4. Has obtained or attempted to obtain by fraud or deceit a license or registration to practice nursing, or has submitted to the board any information that is fraudulent, deceitful, or false;
 5. Has engaged in a pattern of practice or other behavior that demonstrates professional misconduct;
 6. Has diverted or attempted to divert supplies, equipment, drugs, or controlled substances for personal use or unauthorized use;
 7. Has practiced nursing or assisted in the practice of nursing in this state without a current license or registration or as otherwise prohibited by this chapter;
 8. Has failed to report any violation of this chapter or rules adopted under this chapter; or
 9. Has failed to observe and follow the duly adopted standards, policies, directives, and orders of the board, or has violated any other provision of this chapter."

Renumber accordingly

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1079, HB 1168.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1079

Page 1, line 4, after "Dakota" insert "; and to declare an emergency"

Page 1, line 11, remove the overstrike over "~~period~~"

Page 1, line 11, remove "biennium"

Page 1, line 11, remove the overstrike over "~~with the~~"

Page 1, line 12, remove the overstrike over "~~effective date of this Act~~"

Page 1, line 12, remove "July 1, 2013."

Page 2, after line 6, insert:

"SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1168

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

Page 2, after line 21, insert:

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

Renumber accordingly

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1034, HB 1036, HB 1051, HB 1069, HB 1070, HB 1072, HB 1073, HB 1074, HB 1081, HB 1087, HB 1089, HB 1092, HB 1094, HB 1101, HB 1108, HB 1110, HB 1155.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1285.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2055, SB 2057, SB 2058, SB 2086, SB 2090, SB 2092, SB 2093, SB 2110.

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

MR. SPEAKER: The President has signed: HB 1034, HB 1036, HB 1051, HB 1069, HB 1070, HB 1072, HB 1073, HB 1074, HB 1081, HB 1087, HB 1089, HB 1092, HB 1094, HB 1101, HB 1108, HB 1110, HB 1155, HB 1285.

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

MR. SPEAKER: The President has signed: HB 1047, HB 1049, HB 1062, HB 1064, HB 1065, HB 1066, HB 1095, HB 1100, HB 1104, HB 1122, HB 1123, HB 1146, HB 1229, HB 1268, HCR 3001.

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

MR. PRESIDENT: The Speaker has signed: HB 1285.

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

MR. PRESIDENT: The Speaker has signed: SB 2055, SB 2057, SB 2058, SB 2086, SB 2090, SB 2092, SB 2093, SB 2110.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on March 11, 2013: HB 1285.

REPORT OF STANDING COMMITTEE

SB 2051: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). SB 2051 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2070: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2070 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2082: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2082 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2104, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2104 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2105: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2105 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2259, as reengrossed: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2259 was placed on the Sixth order on the calendar.

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2304, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2304 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2322: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2322 was placed on the Fourteenth order on the calendar.

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

Buell J. Reich, Chief Clerk

