

JOURNAL OF THE HOUSE

Sixty-third Legislative Assembly

* * * * *

Bismarck, March 13, 2013

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

The prayer was offered by Monsignor Tom Richter, Cathedral of the Holy Spirit, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER DEVLIN DEEMED approval of the amendments to Engrossed SB 2126 and SB 2161.

Engrossed SB 2126 and SB 2161, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. N. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1120 as printed on HJ page 859, which motion prevailed on a voice vote.

Engrossed HB 1120, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1120: A BILL for an Act to amend and reenact section 37-17.1-10 of the North Dakota Century Code, relating to authority to issue mandatory evacuations during emergencies; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 86 YEAS, 8 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; 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; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Larson; Looysen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

NAYS: Bellew; Kasper; Laning; Nathe; Ruby; Schatz; Streyle; Thoreson

Reengrossed HB 1120 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3033: A concurrent resolution directing the Legislative Management to study opportunities to reduce the risk of death and disease among smokers who will not quit smoking, by considering tobacco harm reduction strategies that encourage smokers to switch from cigarettes to less risky tobacco products and by accurately informing the public of the health risks posed by smokeless tobacco products, vapor products, and tobacco-derived products relative to cigarettes.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 48 YEAS, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Dockter; Dosch; Drovdal; Frantsvog; Grande; Hatlestad; Headland; Heilman; Heller; Karls; Kasper; Kelsh, J.; Kempenich; Koppelman, B.; Kreidt; Kreun; Larson; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Pollert; Rohr; Ruby; Schatz; Steiner; Streyle; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Speaker Devlin

NAYS: Anderson; Becker; Boschee; Damschen; Fehr; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kiefert; Klein; Klemin; Koppelman, K.; Kretschmar; Laning; Looyesen; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Strinden; Sukut; Toman; Williams; Zaiser

HCR 3033 was declared adopted on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2259: A BILL for an Act to create and enact a new subsection to section 55-08-01.3 of the North Dakota Century Code, relating to historic preservation at state parks.

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 72 YEAS, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Boe; Boschee; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Rohr; Rust; Sanford; Schmidt; Silbernagel; Steiner; Strinden; Sukut; Toman; Trottier; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

NAYS: Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Grande; Headland; Heller; Kasper; Koppelman, B.; Louser; Pollert; Porter; Ruby; Schatz; Skarphol; Streyle; Thoreson; Vigesaa

Reengrossed SB 2259, as amended, passed.

SECOND READING OF SENATE BILL

SB 2033: A BILL for an Act to amend and reenact section 54-35-15.2, subsection 8 of section 54-59-05, and section 54-59-23 of the North Dakota Century Code, relating to the definition of a large information technology 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

SB 2033 passed.

SECOND READING OF SENATE BILL

SB 2034: A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota Century Code, relating to information technology projects and the creation of executive steering committees for information technology projects.

ROLL CALL

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

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

Engrossed SB 2034 passed.

SECOND READING OF SENATE BILL

SB 2061: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to plan modifications to the teachers' fund for retirement required to maintain compliance with federal statutes or rules; and to amend and reenact section 15-39.1-04, subsection 4 of section 15-39.1-10, and sections 15-39.1-10.6 and 15-39.1-11 of the North Dakota Century Code, relating to the definition of normal retirement age and revising the definitions of actuarial equivalent and salary, incorporation of federal law changes, and modification of vesting of rights provisions under the teachers' fund for retirement.

ROLL CALL

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

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

SB 2061 passed.

SECOND READING OF SENATE BILL

SB 2084: A BILL for an Act to create and enact a new subsection to section 43-28-06 of the North Dakota Century Code, relating to powers of the state board of dental examiners; to amend and reenact subsection 7 of section 43-20-01.4, section 43-20-03, subsection 3 of section 43-28-06, section 43-28-10.1, and subsection 3 of section 43-28-25 of the North Dakota Century Code, relating to the practice and licensing of dental hygienists and dentists and the ownership of a practice.

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 93 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Skarphol

SB 2084 passed.

SECOND READING OF SENATE BILL

SB 2088: A BILL for an Act to amend and reenact sections 43-39-05 and 43-39-08, subsection 3 of section 43-39-09, subsection 2 of section 43-39-10, and section 43-39-11 of the North Dakota Century Code, relating to athletic trainers; to repeal section 43-39-07 of the North Dakota Century Code, relating to grandfathering initial licensees; and to provide a penalty.

ROLL CALL

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

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

Engrossed SB 2088 passed.

SECOND READING OF SENATE BILL

SB 2109: A BILL for an Act to amend and reenact sections 50-29-02 and 50-29-04 of the North Dakota Century Code, relating to eligibility determinations for the children's health insurance program.

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 73 YEAS, 21 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Boe; Boschee; Brandenburg; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kretschmar; Kreun; Laning; Looysen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Ruby; Rust; Sanford; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

NAYS: Becker; Bellew; Belter; Boehning; Brabandt; Carlson; Delzer; Froseth; Grande; Headland; Heller; Karls; Kasper; Kreidt; Larson; Nathe; Rohr; Schatz; Schmidt; Streyle; Thoreson

SB 2109 passed.

SECOND READING OF SENATE BILL

SB 2112: A BILL for an Act to amend and reenact subsection 3 of section 49-03-02, subsection 11 of section 49-05-04, subsection 2 of section 49-05-04.2, subsection 2 of section 49-05-04.3, and subsection 1 of section 49-05-16 of the North Dakota Century Code, relating to fees for public utility applications.

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 55 YEAS, 39 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Boe; Boschee; Damschen; Delmore; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Kretschmar; Kreun; Laning; Maragos; Meier; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Pollert; Sanford; Silbernagel; Steiner; Strinden; Sukut; Trottier; Vigesaa; Wall; Williams; Zaiser

NAYS: Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Dockter; Dosch; Drovdal; Fehr; Grande; Headland; Heller; Karls; Kasper; Koppelman, B.; Koppelman, K.; Kreidt; Larson; Looysen; Louser; Martinson; Nathe; Owens; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Skarphol; Streyle; Thoreson; Toman; Weisz; Wieland; Speaker Devlin

SB 2112 passed.

MOTION

REP. VIGESAA MOVED that SB 2117, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2118: A BILL for an Act to amend and reenact sections 37-17.1-14.1 and 37-17.1-14.3 of the North Dakota Century Code, relating to authority to join interstate mutual aid agreements.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; 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; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

Engrossed SB 2118 passed.

SECOND READING OF SENATE BILL

SB 2124: A BILL for an Act to provide for the legislative management to study methods to assure that the legacy fund provides the lasting benefits intended by the voters in enacting the constitutional measure.

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 88 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Dockter; Dosch; Drovda; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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, M.; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser

NAYS: Brandenburg; Delzer; Headland; Nelson, J.; Pollert; Speaker Devlin

SB 2124 passed.

SECOND READING OF SENATE BILL

SB 2127: A BILL for an Act to create and enact a new section to chapter 37-19.1 of the North Dakota Century Code, relating to private employers providing a voluntary veterans' preference in employment.

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 92 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; 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; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

NAYS: Becker; Skarphol

SB 2127 passed.

SECOND READING OF SENATE BILL

SB 2136: A BILL for an Act to amend and reenact sections 47-14-05 and 47-14-07 of the North Dakota Century Code, relating to interest rates and late fees.

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 93 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Trottier

SB 2136 passed.

SECOND READING OF SENATE BILL

SB 2159: A BILL for an Act to amend and reenact section 14-15-12 of the North Dakota Century Code, relating to the required residence of the minor before a final decree of adoption.

ROLL CALL

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

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

SB 2159 passed.

SECOND READING OF SENATE BILL

SB 2217: A BILL for an Act to amend and reenact sections 40-57.3-04 and 57-39.4-11.1 of the North Dakota Century Code, relating to the payment of city lodging tax, city lodging and restaurant tax, city motor vehicle tax, and the election of origin-based sourcing for retail sales of tangible personal property.

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 73 YEAS, 21 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Belter; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Meier; Mock; Mooney; Muscha; Nathe; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schmidt; Silbernagel; Steiner; Strinden; Sukut; Trottier; Wall; Wieland; Williams; Zaiser

NAYS: Becker; Bellew; Boe; Carlson; Delzer; Grande; Heller; Karls; Kasper; Martinson; Monson; Nelson, J.; Ruby; Schatz; Skarphol; Streyle; Thoreson; Toman; Vigasaa; Weisz; Speaker Devlin

SB 2217 passed.

SECOND READING OF SENATE BILL

SB 2247: A BILL for an Act to amend and reenact section 34-14-04.1 of the North Dakota Century Code, relating to limitations on withholdings.

ROLL CALL

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

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

Engrossed SB 2247 passed.

SECOND READING OF SENATE BILL

SB 2260: A BILL for an Act amend and reenact sections 13-07-01, 13-11-01, 51-15-06.1, 51-28-01, and 51-28-02 of the North Dakota Century Code, relating to consumer credit counseling services, debt settlement providers, assurance of discontinuance, and telephone solicitations.

ROLL CALL

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

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

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

SB 2260 passed.

SECOND READING OF SENATE BILL

SB 2261: A BILL for an Act to create and enact two new sections to chapter 57-40.6 of the North Dakota Century Code, relating to the creation of a prepaid wireless emergency 911 fee; to amend and reenact section 57-40.6-01, subsection 1 of section 57-40.6-02, sections 57-40.6-03, 57-40.6-08, and 57-40.6-13 of the North Dakota Century Code, relating to prepaid wireless services and limitation of liability for prepaid wireless service providers or sellers; 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 78 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Belter; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Mock; Monson; Mooney; Muscha; Nathe; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser

NAYS: Becker; Bellew; Boe; Delzer; Grande; Karls; Martinson; Meier; Nelson, J.; Pollert; Rohr; Ruby; Streyle; Toman; Speaker Devlin

ABSENT AND NOT VOTING: Maragos

SB 2261 passed.

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, March 14, 2013, which motion prevailed.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2051, SB 2070, SB 2082, SB 2104, SB 2105, SB 2304, SB 2322.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2069.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1142, HB 1154, HB 1230.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1056.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1157.

SENATE AMENDMENTS TO HOUSE BILL NO. 1157

Page 1, line 24, overstrike "under which the annual payments by the county do not exceed"

Page 2, line 1, remove "forty"

Page 2, line 1, overstrike "thousand dollars"

Page 2, line 2, overstrike the comma

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 1125.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1125

Page 1, line 15, replace "sixty" with "seventy-five"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2039, SB 2042, SB 2044, SB 2048, SB 2049, SB 2052, SB 2053, SB 2056, SB 2139, SB 2143, SB 2174, SB 2177.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2039, SB 2042, SB 2044, SB 2048, SB 2049, SB 2052, SB 2053, SB 2056, SB 2139, SB 2143, SB 2174, SB 2177.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: SB 2039, SB 2042, SB 2044, SB 2048, SB 2049, SB 2052, SB 2053, SB 2056, SB 2139, SB 2143, SB 2174, SB 2177.

REPORT OF STANDING COMMITTEE

HCR 3008: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HCR 3008 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3035: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HCR 3035 was placed on the Eleventh order on the calendar.

Pursuant to House Rule 206(4), HCR 3035 was placed on the Consent Calendar.

REPORT OF STANDING COMMITTEE

HCR 3042: Education Committee (Rep. Nathe, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HCR 3042 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3046: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HCR 3046 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "twenty"

Page 1, line 22, remove "twenty"

Page 1, line 24, remove "twenty"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3047: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HCR 3047 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2062: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2062 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2111: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2111 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2122, as engrossed: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2122 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2141: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2141 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2142: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2142 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "and"

Page 1, line 7, replace "an" with "a retroactive"

Page 1, line 7, after "date" insert "; and to provide an expiration date"

Page 4, after line 13, insert:

"SECTION 5. EXPIRATION DATE. This Act is effective through June 30, 2017, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2146, as reengrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2146 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2147, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2147 was placed on the Sixth order on the calendar.

Page 3, line 17, remove the overstrike over "~~The second violation of~~"

Page 3, line 18, remove the overstrike over "~~subsection 1 or 2 is a class A misdemeanor~~"

Page 3, line 18, after the second "and" insert an underscored period

Page 3, line 19, remove "after receiving notice of a first violation"

Page 4, line 23, after "commissioner" insert "and include the identification of any logistics or fulfillment houses the licensee used for such shipments"

Page 4, line 24, replace "57-39.2" with "57-39.6"

Page 4, line 25, remove "and include the identification of any logistics or"

Page 4, line 26, remove "fulfillment houses the licensee used for such shipments"

Page 7, line 6, replace "carrier" with "shipper"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2151: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2151 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and"

Page 1, line 2, after "penalty" insert "; to provide an effective date; and to declare an emergency"

Page 3, after line 30, insert:

"SECTION 5. EFFECTIVE DATE. This Act becomes effective on May 1, 2013.

SECTION 6. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2154: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2154 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2185: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2185 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "employer" with "employee"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2201: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2201 was placed on the Sixth order on the calendar.

Page 4, line 3, remove "a."

Page 4, line 4, after "administrator" insert "as defined in section 15.1-13-01"

Page 4, remove lines 13 through 21

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2284, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2284 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2334, as reengrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2334 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4012, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4012 was placed on the Fourteenth order on the calendar.

Pursuant to House Rule 206(4), Engrossed SCR 4012 was placed on the Consent Calendar.

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

Buell J. Reich, Chief Clerk

