

## JOURNAL OF THE HOUSE

## Sixty-third Legislative Assembly

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Bismarck, March 25, 2013

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

The prayer was offered by Pastor Paul Gibson, First Baptist Church, Bismarck.

The roll was called and all members were present except Representatives Boe and Louser.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Forty-eighth and Fifty-first Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 970, line 48, after the first period, remove ", which motion prevailed."

Page 1017, line 4, replace "Vigesaa" with "Mock"

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed.

## POINT OF PERSONAL PRIVILEGE

**REP. FRANTSVOG** rose on a point of personal privilege.

## REMARKS OF REPRESENTATIVE FRANTSVOG

**MR. SPEAKER:** It is with great pleasure that all the legislative delegations from Minot, along with all the citizens of Minot, congratulate the Bishop Ryan Lions girls' basketball team for winning the state class B basketball championship. Top ranked Minot Ryan held on to beat the Central Cass Squirrels by a score of 54-50 to end the 2013 basketball season undefeated with a 20 game consecutive winning streak dating back to the 2012 season. Named to the all tournament team from Bishop Ryan were Anika Rovig, Gabbie Bohl, and Hanna Stewart. Hanna Stewart was also named the tournament MVP.

Again, congratulations to the Bishop Ryan Lions girls' basketball team for winning the state championship. Thank you, Mr. Speaker.

## REQUEST

**REP. VIGESAA REQUESTED** that the remarks of Rep. Frantsvog be printed in the Journal, which request was granted.

## MOTION

**REP. VIGESAA MOVED** that SB 2064, which is on the Fourteenth order, be laid over one legislative day, and that SB 2234, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

## MOTION

**REP. VIGESAA MOVED** that Reengrossed SB 2353, which is on the Fourteenth order, be rereferred to the **Political Subdivisions Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, Reengrossed SB 2353 was rereferred.

## SIXTH ORDER OF BUSINESS

**SPEAKER DEVLIN DEEMED** approval of the amendments to Engrossed SB 2210, Engrossed SB 2218, and SB 2310.

Engrossed SB 2218, as amended, was rereferred to the **Appropriations Committee**.

Engrossed SB 2210 and SB 2310, as amended, were placed on the Fourteenth order of

business on the calendar for the succeeding legislative day.

### SECOND READING OF SENATE BILL

**SB 2316:** A BILL for an Act to create and enact section 57-43.2-04.7 of the North Dakota Century Code, relating to a special fuels tax refund for North Dakota taxes paid on special fuels used to operate the power take-off unit or auxiliary engines of a motor vehicle; 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 19 YEAS, 73 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Brandenburg; Fehr; Guggisberg; Heilman; Hunskor; Kempenich; Kiefert; Maragos; Monson; Porter; Rohr; Ruby; Rust; Schatz; Skarphol; Streyle; Sukut; Toman

**NAYS:** Amerman; Anderson; Beadle; Becker; Belter; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looysen; Martinson; Meier; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Sanford; Schmidt; Silbernagel; Steiner; Strinden; Thoreson; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Boe; Louser

SB 2316 failed.

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### SECOND READING OF SENATE BILL

**SB 2347:** A BILL for an Act to create and enact a new section to chapter 16.1-07 of the North Dakota Century Code, relating to emergency authority of the secretary of state for the administration of elections.

### 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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2347 passed.

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### SECOND READING OF SENATE BILL

**SB 2374:** A BILL for an Act to amend and reenact sections 15.1-09-08 and 15.1-09-24, subsection 10 of section 16.1-01-09.1, sections 16.1-03-12 and 16.1-03-14, subsection 1 of section 16.1-07-15, sections 16.1-09-02, 16.1-11-06, 16.1-11-11,

16.1-11-11.1, 16.1-11-15, 16.1-11-18, 16.1-11-19, 16.1-11-30, 16.1-12-02, and 16.1-12-02.3, subsection 3 of section 16.1-12-04, sections 16.1-12-07, 16.1-12-09, 27-25-04, 40-21-02, 40-21-07, 40-21-08, and 40-57.3-01.1, subsection 4 of section 44-08-21, and sections 46-06-03, 61-24-03, 61-24.5-06, and 61-24.5-07 of the North Dakota Century Code, relating to election and recall filing requirements.

#### 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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2374 passed.

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#### SECOND READING OF SENATE BILL

**SB 2043:** A BILL for an Act to amend and reenact subsection 8 of section 39-24-01, subsection 2 of section 39-29-01, and subsection 1 of section 39-29-09 of the North Dakota Century Code, relating to off-highway vehicles and snowmobiles.

#### 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 86 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Belter; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; 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; Looyesen; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Bellew; Delzer; Headland; Rohr; Streyle; Toman

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2043, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2162:** A BILL for an Act to amend and reenact subsection 5 of section 57-15-56 and section 57-39.2-26.2 of the North Dakota Century Code, relating to a matching grant from the senior citizen services and programs fund to counties; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Boe; Louser

SB 2162, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2231:** A BILL for an Act to amend and reenact sections 20.1-03-12, 20.1-03-12.1, and 20.1-03-12.2 of the North Dakota Century Code, relating to hunting fees.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 77 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Becker; Belter; Delzer; Drovdal; Grande; Headland; Heller; Koppelman, B.; Koppelman, K.; Rohr; Schatz; Skarphol; Streyle; Toman; Trottier

**ABSENT AND NOT VOTING:** Boe; Louser

SB 2231, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2026:** A BILL for an Act to create and enact chapters 4.1-52, 4.1-55, and 4.1-56 and section 4.1-57-18.1 of the North Dakota Century Code, relating to the North Dakota seed department, seed potatoes, and seed potato control areas; to repeal chapters 4-10 and 4-26 and sections 4.1-53-02, 4.1-53-03, 4.1-53-04, 4.1-53-05, 4.1-53-06, 4.1-53-07, 4.1-53-08, 4.1-53-09, 4.1-53-10, 4.1-53-11, 4.1-53-62, 4.1-57-20, and 4.1-57-21 of the North Dakota Century Code, relating to seed potatoes, seed potato control areas, and general provisions regarding the North Dakota seed department; to provide a penalty; and to provide a continuing appropriation.

**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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2026 passed.

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### SECOND READING OF SENATE BILL

**SB 2079:** A BILL for an Act to create and enact a new section to chapter 54-17 of the North Dakota Century Code, relating to the authority of the housing finance agency.

### 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 75 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; 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; Klemm; Koppelman, K.; Kreidt; Kretschmar; Kreun; Larson; Looyen; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Pollert; Porter; Rust; Sanford; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Williams; Speaker Devlin

**NAYS:** Becker; Bellew; Brabandt; Delzer; Koppelman, B.; Laning; Nelson, M.; Owens; Paur; Rohr; Ruby; Schatz; Schmidt; Streyle; Weisz; Wieland; Zaiser

**ABSENT AND NOT VOTING:** Boe; Louser

SB 2079 passed.

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### SECOND READING OF SENATE BILL

**SB 2172:** A BILL for an Act to create and enact a new section to chapter 25-17 of the North Dakota Century Code, relating to newborn child screening for critical congenital heart defects.

### 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 69 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Boehning; Boschee; Carlson; Damschen; Delmore; Dockter; Fehr; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Looyen; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Rohr; Sanford; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weisz; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Belter; Brabandt; Brandenburg; Delzer; Dosch; Drovdal; Froseth; Grande; Headland; Heller; Kempenich; Larson; Meier; Pollert; Ruby; Rust; Schatz; Schmidt; Streyle; Toman; Wieland

**ABSENT AND NOT VOTING:** Boe; Louser

SB 2172 passed.

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### SECOND READING OF SENATE BILL

**SB 2317:** A BILL for an Act to create and enact two new subsections to section 39-01-01 of the North Dakota Century Code, relating to definitions; and to amend and reenact sections 39-18-01, 39-18-02, 39-18-06, and 39-18-08 of the North Dakota Century Code, relating to mobile home and manufactured home dealer regulation.

### 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, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; 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; Looyesen; 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; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Ruby

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2317 passed.

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### SECOND READING OF SENATE BILL

**SB 2046:** A BILL for an Act to amend and reenact subsection 7 of section 39-06-04 and sections 39-06.2-02, 39-06.2-06, 39-06.2-07, 39-06.2-08, 39-06.2-08.1, 39-06.2-09, 39-06.2-09.1, 39-06.2-10, 39-06.2-10.5, 39-06.2-12, and 39-06.2-16 of the North Dakota Century Code, relating to commercial driver's licenses.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 52 YEAS, 40 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Becker; Bellew; Boschee; Carlson; Damschen; Delmore; Drovdal; Fehr; Frantsovog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Heller; Hogan; Holman; Hunskor; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Kretschmar; Kreun; Martinson; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Porter; Ruby; Sanford; Silbernagel; Strinden; Sukut; Toman; Vigasaa; Wall; Weisz; Williams; Zaiser

**NAYS:** Beadle; Belter; Boehning; Brabandt; Brandenburg; Delzer; Dockter; Dosch; Froseth; Grande; Headland; Hofstad; Johnson, D.; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Looyesen; Maragos; Meier; Mock; Monson; Mooney; Nathe; Paur; Pollert; Rohr; Rust; Schatz; Schmidt; Skarphol; Steiner; Streyle; Thoreson; Trottier; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2046, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2073:** A BILL for an Act to amend and reenact sections 37-01-03 and 37-01-43, subdivision b of subsection 7 of section 37-28-02, and section 39-04-10.8 of the North Dakota Century Code, relating to the operation of the North Dakota national guard and national guard license plates.

**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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; 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; Looyesen; 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

**ABSENT AND NOT VOTING:** Boe; Louser

SB 2073 passed.

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**SECOND READING OF SENATE BILL**

**SB 2101:** A BILL for an Act to amend and reenact sections 11-18-02.2, 57-09-04, 57-11-04, and 57-12-09 of the North Dakota Century Code, relating to challenges of property tax assessments and notice to property owners of assessment increases; 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 3 YEAS, 89 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Koppelman, K.; Ruby

**NAYS:** Amerman; Anderson; Beadle; Becker; Belter; 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.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2101 failed.

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**SECOND READING OF SENATE BILL**

**SB 2157:** A BILL for an Act to amend and reenact subsection 3 of section 25-03.1-21, and subsection 1 of section 25-03.1-25 of the North Dakota Century Code, relating to the emergency commitment of mentally ill individuals.

**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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; 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; 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; 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

**ABSENT AND NOT VOTING:** Boe; Louser

SB 2157 passed.

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**SECOND READING OF SENATE BILL**

**SB 2320:** A BILL for an Act to amend and reenact subsection 15 of section 12.1-32-15 of the North Dakota Century Code, relating to the release of juvenile records and other information to schools.

**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, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; 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; Hunsakor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Ruby; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Koppelman, B.; Meier; Rohr; Schmidt

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2320 passed.

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**SECOND READING OF SENATE BILL**

**SB 2041:** A BILL for an Act to amend and reenact subsections 3 and 4 of section 39-06-42, subsection 3 of section 39-08-01, and subsection 4 of section 39-08-20 of the North Dakota Century Code, relating to impounding and destroying number plates for certain offenses; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2041, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2068:** A BILL for an Act to amend and reenact section 25-03.2-03.1 of the North Dakota Century Code, relating to residential child care facility bed capacity and psychiatric residential treatment facility bed capacity.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; 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; 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

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2068, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2087:** A BILL for an Act to amend and reenact sections 43-05-15 and 43-05-16.3 of the North Dakota Century Code, relating to the renewal of licenses and disciplinary investigations of podiatrists.

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Belter; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; 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; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Bellew; Brabandt; Delzer; Ruby; Schatz

**ABSENT AND NOT VOTING:** Boe; Louser

Engrossed SB 2087, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2025:** A BILL for an Act to amend and reenact sections 39-12-14.1 and 39-12-20 of the North Dakota Century Code, relating to extraordinary road use fees; to provide a continuing appropriation; and to provide an expiration date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 66 YEAS, 26 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Boschee; Brabandt; Damschen; Delmore; Dosch; Drovdal; Fehr; Frantsovog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Heller; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klemin; Koppelman, K.; Kreidt; Kretschmar; Kreun; Larson; Looyen; Maragos; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Porter; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Toman; Trottier; Wall; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Belter; Boehning; Brandenburg; Carlson; Delzer; Dockter; Grande; Headland; Hofstad; Karls; Kasper; Klein; Koppelman, B.; Laning; Martinson; Owens; Pollert; Rohr; Ruby; Schmidt; Streyle; Thoreson; Vigesaa; Weisz

**ABSENT AND NOT VOTING:** Boe; Louser

SB 2025 passed.

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### SECOND READING OF SENATE BILL

**SB 2080:** A BILL for an Act to amend and reenact sections 65-04-20 and 65-04-22, subsection 3 of section 65-04-33, subsection 1 of section 65-05-29, sections 65-06-03 and 65-06-04, subsection 2 of section 65-07-03, section 65-07.1-02, and subsection 5 of section 65-08-01 of the North Dakota Century Code, relating to premium payments, workers' compensation premiums, penalties for failure to secure coverage, assignment of claims, and volunteer health practitioner benefits; and to provide for application.

### 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; Bellew; Belter; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; 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; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; 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

**NAYS:** Becker; Hogan; Nelson, M.

**ABSENT AND NOT VOTING:** Boe; Headland; Louser; Owens

SB 2080 passed.

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#### **MOTION**

**REP. VIGESAA MOVED** that SB 2059 be moved to the top of the Fourteenth order, which motion prevailed.

#### **SECOND READING OF SENATE BILL**

**SB 2059:** A BILL for an Act to amend and reenact sections 39-03.1-09, 39-03.1-10, 54-52-02.9, 54-52-05, 54-52-06, 54-52-06.1, 54-52-06.2, and 54-52-06.3, subsection 6 of section 54-52.6-02, and section 54-52.6-09 of the North Dakota Century Code, relating to increased employer and employee contributions under the highway patrolmen's retirement plan and public employees retirement system; and to provide for a legislative management study.

#### **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 32 YEAS, 59 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Kretschmar; Kreun; Larson; Maragos; Martinson; Meier; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Porter; Strinden; Toman; Williams; Zaiser

**NAYS:** Beadle; Becker; Bellev; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovda; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Looyesen; Monson; Nathe; Nelson, J.; Paur; Pollert; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Boe; Louser; Owens

Engrossed SB 2059 failed.

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#### **MOTION**

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

#### **MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, March 26, 2013, which motion prevailed.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2305, SCR 4009.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2368.

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

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2303.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1035, HB 1040, HB 1067, HB 1116, HB 1173, HB 1232, HB 1259, HB 1392, HB 1435.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1001, HB 1002, HB 1014, HB 1075, HB 1201, HB 1236, HB 1276.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1001**

Page 1, line 2, after the semicolon insert "to provide for a report to the budget section;"

Page 1, replace lines 12 and 13 with:

"Salaries and wages	\$3,278,486	\$347,410	\$3,625,896"
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Page 1, replace line 17 with:

"Total general fund	\$3,708,942	\$342,120	\$4,051,062"
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Page 2, after line 9, insert:

**"SECTION 4. APPOINTMENTS - BUDGET SECTION REPORT.** The governor or the governor's designee shall report to the budget section of the legislative management annually regarding the status of gender balance on appointive boards, commissions, committees, and councils as provided in section 54-06-19 and within the governor's appointive cabinet for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 2, line 13, replace "twenty" with "twenty-one"

Page 2, line 13, overstrike "five" and insert immediately thereafter "six"

Page 2, line 14, replace "eleven" with "eighty-one"

Page 2, line 14, replace "twenty-four" with "twenty-six"

Page 2, line 15, overstrike "one" and insert immediately thereafter "five"

Page 2, line 15, replace "twenty-six" with "forty-eight"

Page 2, line 19, replace "ninety-three" with "ninety-four"

Page 2, line 19, replace "five" with "four"

Page 2, line 20, replace "fifty-four" with "sixty-two"

Page 2, line 20, replace "ninety-six" with "ninety-eight"

Page 2, line 21, replace "three" with "two"

Page 2, line 21, replace "sixty-one" with "forty"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1001 - Governor's Office - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$3,553,129	\$3,491,675	\$134,221	\$3,625,896
Operating expenses	404,366	404,366		404,366
Contingencies	10,000	10,000		10,000
Roughrider awards	10,800	10,800		10,800
Accrued leave payments		67,722	(67,722)	
	<u>\$3,978,295</u>	<u>\$3,984,563</u>	<u>\$66,499</u>	<u>\$4,051,062</u>

Total all funds				
Less estimated income	0	0	0	0
General fund	\$3,978,295	\$3,984,563	\$66,499	\$4,051,062
FTE	18.00	18.00	0.00	18.00

**Department No. 101 - Governor's Office - Detail of Senate Changes**

	Restores Executive Budget Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Total Senate Changes
Salaries and wages	\$66,499	\$67,722	\$134,221
Operating expenses			
Contingencies			
Roughrider awards			
Accrued leave payments		(67,722)	(67,722)
Total all funds	\$66,499	\$0	\$66,499
Less estimated income	0	0	0
General fund	\$66,499	\$0	\$66,499
FTE	0.00	0.00	0.00

<sup>1</sup>Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

<sup>2</sup>The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

A section is added providing that the Governor report to the Budget Section on the gender balance of the Governor's appointments.

Sections 4 and 5 of the bill are changed to provide 4 percent annual salary increases for the Governor and Lieutenant Governor, the same as the executive budget recommendation. The House provided 3 percent annual increases.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002**

Page 1, replace lines 15 through 17 with:

"Salaries and wages	\$3,423,343	\$983,522	\$4,406,865
Operating expenses	2,621,950	41,647	2,663,597"

Page 1, replace lines 21 through 23 with:

"Total all funds	\$12,260,105	(\$28,528)	\$12,231,577
Less estimated income	6,786,984	(940,690)	5,846,294
Total general fund	\$5,473,121	\$912,162	\$6,385,283"

Page 2, replace lines 11 through 13 with:

"Grand total general fund	\$5,783,121	\$922,662	\$6,705,783
Grand total special funds	6,786,984	(940,690)	5,846,294
Grand total all funds	\$12,570,105	(\$18,028)	\$12,552,077"

Page 3, line 8, replace "ninety-five" with "ninety-six"

Page 3, line 8, replace "eight" with "seven"

Page 3, line 9, replace "sixty-three" with "ninety-four"

Page 3, line 9, replace "ninety-eight" with "one hundred"

Page 3, line 10, replace "seven hundred thirty-nine" with "six hundred sixty-six"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1002 - Summary of Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Secretary of State				
Total all funds	\$12,216,757	\$11,996,039	\$235,538	\$12,231,577
Less estimated income	5,845,849	5,842,175	4,119	5,846,294
General fund	\$6,370,908	\$6,153,864	\$231,419	\$6,385,283
Public Printing				
Total all funds	\$320,500	\$320,500	\$0	\$320,500
Less estimated income	0	0	0	0
General fund	\$320,500	\$320,500	\$0	\$320,500
Bill total				
Total all funds	\$12,537,257	\$12,316,539	\$235,538	\$12,552,077
Less estimated income	5,845,849	5,842,175	4,119	5,846,294
General fund	\$6,691,408	\$6,474,364	\$231,419	\$6,705,783

#### House Bill No. 1002 - Secretary of State - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$4,392,045	\$4,188,496	\$218,369	\$4,406,865
Operating expenses	2,663,597	2,563,597	100,000	2,663,597
Capital assets	10,000	10,000		10,000
Petition review	8,000	8,000		8,000
Election reform	5,143,115	5,143,115		5,143,115
Accrued leave payments		82,831	(82,831)	
Total all funds	\$12,216,757	\$11,996,039	\$235,538	\$12,231,577
Less estimated income	5,845,849	5,842,175	4,119	5,846,294
General fund	\$6,370,908	\$6,153,864	\$231,419	\$6,385,283
FTE	31.00	31.00	0.00	31.00

#### Department No. 108 - Secretary of State - Detail of Senate Changes

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Restores Funding for Credit Card Usage Fees <sup>3</sup>	Total Senate Changes
Salaries and wages	\$135,538	\$82,831		\$218,369
Operating expenses			100,000	100,000
Capital assets				
Petition review				
Election reform				
Accrued leave payments		(82,831)		(82,831)
Total all funds	\$135,538	\$0	\$100,000	\$235,538
Less estimated income	4,119	0	0	4,119
General fund	\$131,419	\$0	\$100,000	\$231,419
FTE	0.00	0.00	0.00	0.00

<sup>1</sup>Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

<sup>2</sup>The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

<sup>3</sup>This amendment restores funding added in the executive budget recommendation for increased credit card usage fees which was removed by the House.

Section 4 of the bill is changed to provide 4 percent annual salary increases for the Secretary of State, the same as the executive budget recommendation. The House provided 3 percent annual increases.

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1014

Page 1, replace lines 12 through 16 with:

"Protection and advocacy operations	<u>\$5,104,253</u>	<u>\$787,326</u>	<u>\$5,891,579</u>
Total all funds	\$5,104,253	\$787,326	\$5,891,579
Less estimated income	<u>3,118,888</u>	<u>114,724</u>	<u>3,233,612</u>
Total general fund	\$1,985,365	\$672,602	\$2,657,967"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1014 - Protection and Advocacy Project - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Protection and Advocacy Project	\$5,886,347			
Accrued leave payments		93,590	(93,590)	
Protection and advocacy operations		5,573,188	318,391	5,891,579
Total all funds	\$5,886,347	\$5,666,778	\$224,801	\$5,891,579
Less estimated income	<u>3,233,612</u>	<u>3,233,612</u>	0	<u>3,233,612</u>
General fund	\$2,652,735	\$2,433,166	\$224,801	\$2,657,967
FTE	27.50	27.50	0.00	27.50

#### Department No. 360 - Protection and Advocacy Project - Detail of Senate Changes

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Total Senate Changes
Protection and Advocacy Project			
Accrued leave payments		(93,590)	(93,590)
Protection and advocacy operations	224,801	93,590	318,391
Total all funds	\$224,801	\$0	\$224,801
Less estimated income	<u>0</u>	<u>0</u>	0
General fund	\$224,801	\$0	\$224,801
FTE	0.00	0.00	0.00

<sup>1</sup>Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

<sup>2</sup>The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1075**

Page 1, line 11, replace "The" with "In accordance with rules of the supreme court, the"

Page 1, line 12, remove the overstrike over "~~provided for in~~" and insert immediately thereafter "chapter 12.1-31.2,"

Page 1, line 12, remove the overstrike over "~~title 14,~~" and insert immediately thereafter "sections 20.1-01-28 and 20.1-01-29,"

Page 1, line 12, remove the overstrike over "~~chapter 27-20,~~"

Page 1, line 12, remove the overstrike over "~~chapter 28-25~~"

Page 1, line 12, remove "in"

Page 1, line 13, remove "accordance with"

Page 1, line 13, overstrike "rules of the supreme court" and insert immediately thereafter "subsection 6 of section 50-09-08.6, and subsection 2 of section 50-09-14"

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE BILL NO. 1201**

Page 1, line 2, after "assistants" insert "; and to provide an effective date"

Page 1, after line 13, insert:

**"SECTION 2. EFFECTIVE DATE.** This Act becomes effective on the date the director of the department of human services certifies to the secretary of state and the legislative council that the department has completed implementation of the medicaid management information system."

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1236**

Page 2, line 4, replace "Rent" with "Rental"

Page 2, line 11, remove "with the same lessor"

Page 4, line 10, remove "due under this chapter on the cumulative value of the lease"

Page 4, remove lines 11 and 12

Page 4, line 13, replace "are collected" with "calculated on the equivalent value of three years of lease payments. The equivalent value of three years of lease payments is the sum of the lease payments under the agreement divided by the term of the lease in months times thirty-six. The tax may be collected and remitted to the commissioner in equal installments with each lease payment over the term of the lease"

Page 4, line 15, replace "full term of the lease" with "equivalent value of three years of lease payments"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1276**

Page 1, line 1, replace "section" with "sections"

Page 1, line 1, after "15.1-19-23" insert ", and 23-44-03"

Page 1, line 3, replace "and" with a comma

Page 1, line 3, after "Act" insert ", and the exemption of medication administration in primary or secondary schools from the nurse aide registry"

Page 1, after line 22, insert:

**"SECTION 2.** Section 23-44-03 of the North Dakota Century Code is created and enacted as follows:

**23-44-03. Exemption.**

Medication administration by an individual within a primary or secondary school under a program established under section 15.1-19-23 is exempt from the requirements of this chapter, if the individual has received education and training in medication administration and has received written consent of the student's parents or guardian."

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 1005, HB 1185.

**SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1005**

Page 1, line 3, remove the second "and"

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

Page 1, replace lines 13 through 17 with:

"Salaries and wages	\$1,054,524	\$374,264	\$1,428,788
Operating expenses	163,066	337,110	500,176
Coal severance payments	<u>252,800</u>	<u>0</u>	<u>252,800</u>
Total general fund	\$1,470,390	\$711,374	\$2,181,764"

Page 2, line 20, replace "ninety" with "ninety-one"

Page 2, line 20, replace "five" with "four"

Page 2, line 21, replace "twenty-seven" with "six"

Page 2, line 21, replace "ninety-three" with "ninety-five"

Page 2, line 22, replace "two hundred forty-three" with "sixty-two"

Page 2, after line 25, insert:

**"SECTION 6. EMERGENCY.** The sum of \$195,223 and one full-time equivalent position included in section 1 of this Act are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1005 - State Treasurer - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$1,317,913	\$1,375,684	\$53,104	\$1,428,788
Operating expenses	326,872	500,176		500,176
Coal severance payments	252,800	252,800		252,800
Accrued leave payments		13,038	(13,038)	
Total all funds	\$1,897,585	\$2,141,698	\$40,066	\$2,181,764
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	\$1,897,585	\$2,141,698	\$40,066	\$2,181,764

General fund				
FTE	8.00	8.00	0.00	8.00

### Department No. 120 - State Treasurer - Detail of Senate Changes

	Restores Executive Compensation Package <sup>1</sup>	Removes Separate Line Item for Accrued Leave Payments <sup>2</sup>	Total Senate Changes
Salaries and wages	\$40,066	\$13,038	\$53,104
Operating expenses			
Coal severance payments			
Accrued leave payments		(13,038)	(13,038)
Total all funds	\$40,066	\$0	\$40,066
Less estimated income	0	0	0
General fund	\$40,066	\$0	\$40,066
FTE	0.00	0.00	0.00

<sup>1</sup>Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

<sup>2</sup>The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

Section 4 of the bill is changed to provide 4 percent annual salary increases for the State Treasurer, the same as the executive budget. The House provided 3 percent annual increases.

A section is added to declare an emergency for the new account manager FTE position to allow the position to be filled prior to July 1, 2013.

### SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1005

In addition to the amendments adopted by the Senate as printed on pages 782-784 of the Senate Journal, Reengrossed House Bill No. 1005 is further amended as follows:

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

Page 1, line 2, after "54-11-13" insert ", and subsection 5 of section 57-51.2-02"

Page 1, line 3, after "treasurer" insert "and a tribal oil and gas agreement"

Page 2, after line 7, insert:

**"SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$12,771, or so much of the sum as may be necessary, to the state treasurer for the purpose of defraying information technology expenses relating to changes in oil revenue distributions and other changes, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 2, after line 22, insert:

**"SECTION 6. AMENDMENT.** Subsection 5 of section 57-51.2-02 of the North Dakota Century Code is amended and reenacted as follows:

5. The allocation of revenue from oil and gas gross production and oil extraction taxes on the Fort Berthold Reservation must be as follows:

- a. Production attributable to trust lands. All revenues and exemptions from all oil and gas gross production and oil extraction taxes attributable to production from trust lands on the Fort Berthold Reservation must be evenly divided between the tribe and the state.
- b. All other production. The tribe must receive twenty percent of the total oil and gas gross production taxes collected from all production attributable to nontrust lands on the Fort Berthold Reservation in lieu of the application of the Three Affiliated Tribes' fees and taxes related to production on such lands. The state must receive the remainder.
- c. The state's share of the oil and gas gross production tax revenue as divided in subdivisions a and b is subject to distribution among political subdivisions as provided in chapterschapter 57-51 and 57-51.1."

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1185**

Page 2, line 16, after the underscored period insert "The owner of nonowner-occupied property is eligible for only one loan for nonowner-occupied property under this section and that loan must be secured by the property for which the loan is made."

Page 2, line 21, after the period insert "For purposes of this section, "nonowner-occupied property" means property consisting of one or more rental dwelling units, none of which is occupied by the owner, and does not include hotel or motel accommodations or any other commercial property."

Page 2, line 24, after "fund" insert "to a homeowner to rebuild or replace that individual's flood-damaged home"

Page 2, line 25, after the period insert "There is no deferral of principal and interest payments for a loan for nonowner-occupied property."

Page 2, line 26, after "application" insert "for a loan for nonowner-occupied property"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1109, HB 1127.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1084, HB 1153, HB 1228, HB 1270, HB 1301, HB 1350, HB 1357, HB 1359.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2305, SCR 4009.

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

**MR. SPEAKER:** The President has signed: HB 1084, HB 1153, HB 1228, HB 1270, HB 1301, HB 1350, HB 1357, HB 1359.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2305, SCR 4009.

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

**MR. SPEAKER:** The President has signed: SB 2305, SCR 4009.

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

**SB 2096: Education Committee (Rep. Nathe, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2096 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2116, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2116 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "the following"

Page 1, line 16, after "vacancy" insert " In appointing the board members, the governor shall appoint three veterinarians, one veterinarian technician, and one individual representing the public. In appointing the veterinarian members of the board, the governor shall make an effort to appoint"

Page 1, line 18, after the underscored semicolon insert "and"

Page 1, line 19, replace the underscored semicolon with an underscored period

Page 1, remove lines 20 and 21

Page 2, line 15, remove "appointed before July 1, 2013."

Page 2, remove line 16

Page 2, line 17, replace "except that the initial terms" with "Terms"

Page 2, line 17, remove "one"

Page 2, line 18, replace "term expires" with "two terms expire"

Page 2, remove lines 21 through 24

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2148, as engrossed: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2148 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2329, as engrossed: Education Committee (Rep. Nathe, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2329 was placed on the Fourteenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**