

JOURNAL OF THE HOUSE

Sixty-third Legislative Assembly

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Bismarck, April 4, 2013

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

The prayer was offered by Pastor Don Schmid, Baptist Home, Bismarck.

The roll was called and all members were present except Representatives Belter, Heilman, and Strinden.

A quorum was declared by the Speaker.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

Pursuant to Article V, Section 9, of the United States Constitution, I have vetoed House Bill 1156 and returned it to the House.

House Bill 1156 is vetoed because a public vote on a home rule charter is an important decision for county residents and a very serious policy question. Home rule charters have a tendency to involve the incurring of debt and increased taxation to service that debt. These important questions should be voted upon at an election where a substantial turnout of eligible voters is likely to occur. A county special election would undoubtedly result in an extremely low turnout of voters. A question as important as the adoption of a home rule charter should take place at an election where a substantial number of voters will participate.

Therefore, I am vetoing House Bill 1156.

MOTION

REP. VIGESAA MOVED that SB 2323 be returned to the House floor from the **Appropriations Committee**, and be placed on the Fourteenth order on tomorrow's calendar, which motion prevailed.

MOTION

REP. VIGESAA MOVED that SB 2255, which is on the Fourteenth order, be laid over two legislative days, which motion prevailed.

SIXTH ORDER OF BUSINESS

SPEAKER DEVLIN DEEMED approval of the amendments to Engrossed SB 2125 and Engrossed SB 2175.

Engrossed SB 2125 and Engrossed SB 2175, as amended, were placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2060: A BILL for an Act to create and enact a new section to chapter 54-52.6 of the North Dakota Century Code, relating to plan modifications to the public employees retirement system defined contribution retirement plan required to maintain compliance with the Internal Revenue Code; to amend and reenact sections 39-03.1-11.2, 39-03.1-29, subsection 11 of section 54-52-04, sections 54-52-17, 54-52-23, 54-52-28, 54-52.3-03, and 54-52.6-13 of the North Dakota Century Code, relating to incorporation of Internal Revenue Code compliance under the highway patrolmen's retirement plan and public employees retirement system, updating appropriate committee designations for the savings clauses under the highway patrolmen's retirement plan and public employees retirement system, the board's authority to fund administrative expenses, normal retirement dates for a peace officer or correctional officer, normal retirement dates for a national guard security officer or firefighter, normal retirement dates for a peace officer employed by the bureau of criminal investigation, removal of the level social security retirement benefit option under the public employees retirement system, defrayal of expenses associated with the pretax benefits program, and distribution of a deceased

participant's accumulated account balance under the defined contribution retirement plan; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; 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; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

SB 2060 passed.

SECOND READING OF SENATE BILL

SB 2125: A BILL for an Act to create and enact two new sections to chapter 14-09 of the North Dakota Century Code, relating to the duty to report a missing child or the death of a child; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; 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; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Engrossed SB 2125, as amended, passed.

SECOND READING OF SENATE BILL

SB 2175: A BILL for an Act to amend and reenact section 14-07-08 of the North Dakota Century Code, relating to the liabilities of husband and wife.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr;

Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; 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; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Engrossed SB 2175, as amended, passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. VIGESAA MOVED that the House do not concur in the Senate amendments to HB 1112 as printed on HJ page 939 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1112: Reps. Vigesaa, Kasper, Amerman.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. VIGESAA MOVED that the House do not concur in the Senate amendments to Engrossed HB 1126 as printed on HJ page 1169 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1126: Reps. Owens, Sukut, Gruchalla.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. VIGESAA MOVED that the House do not concur in the Senate amendments to HB 1163 as printed on HJ page 1149 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1163: Reps. Ruby, Keiser, M. Nelson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. VIGESAA MOVED that the House do not concur in the Senate amendments to HB 1157 as printed on HJ page 898 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1157: Reps. Beadle, Klein, Hanson.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. VIGESAA MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2094, Engrossed SB 2095, Engrossed SB 2129, Engrossed SB 2160, Reengrossed SB 2223, and Reengrossed SB 2339, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2094: Reps. Heilman, Meier, Mock

Engrossed SB 2095: Reps. Rust, Heller, Mock

Engrossed SB 2129: Reps. Sukut, Louser, M. Nelson

Engrossed SB 2160: Reps. Schatz, Wall, J. Kelsh

Reengrossed SB 2223: Reps. Kreun, Becker, Gruchalla

Reengrossed SB 2339: Reps. Beadle, Kreun, Gruchalla

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to HB 1113 as printed on HJ pages 938-939, which motion prevailed on a voice vote.

HB 1113, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1113: A BILL for an Act to create and enact section 17-02-01.1 of the North Dakota Century Code, relating to the definition of eligible facility for ethanol production incentives; to amend and reenact sections 10-30.5-02 and 52-02.1-04 of the North Dakota Century Code, relating to the North Dakota development fund, incorporated, and new jobs training; and to repeal sections 17-02-01 and 54-62-03 of the North Dakota Century Code, relating to ethanol production incentives and the advisory commission on faith-based and community initiatives.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 75 YEAS, 16 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Boe; Boehning; Boschee; Brandenburg; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; Kreidt; Kretschmar; Kreun; Laning; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Rohr; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Sukut; Thoreson; Trotter; Wall; Weisz; Williams; Zaiser; Speaker Devlin

NAYS: Becker; Bellew; Brabandt; Carlson; Delzer; Grande; Koppelman, B.; Koppelman, K.; Larson; Pollert; Ruby; Schatz; Streyle; Toman; Vigasaa; Wieland

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Engrossed HB 1113 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RUBY MOVED that the House do concur in the Senate amendments to Engrossed HB 1125 as printed on HJ page 898, which motion prevailed on a voice vote.

Engrossed HB 1125, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1125: A BILL for an Act to amend and reenact section 39-04-17 of the North Dakota Century Code, relating to notarized certificates for vehicle registration; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur;

Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Reengrossed HB 1125 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to HB 1168 as printed on HJ page 871, which motion prevailed on a voice vote.

HB 1168, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1168: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to health insurance enrollment periods in the individual market; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Engrossed HB 1168 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to HB 1196 as printed on HJ page 1058, which motion prevailed on a voice vote.

HB 1196, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1196: A BILL for an Act to create and enact section 26.1-30-03.1 of the North Dakota Century Code, relating to issuance of insurance policies in foreign languages.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 42 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson; Beadle; Boe; Boschee; Carlson; Damschen; Delmore; Fehr; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Klemin; Kretschmar; Kreun; Larson; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Porter; Ruby; Rust; Sanford; Steiner; Vigesaa; Wall; Williams; Zaiser

NAYS: Amerman; Becker; Bellew; Boehning; Brabandt; Brandenburg; Delzer; Dockter; Dosch; Drovdal; Froseth; Grande; Hatlestad; Headland; Heller; Kasper; Kempenich; Kiefert; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Looyesen; Louser; Meier; Owens; Paur; Pollert; Rohr; Schatz; Schmidt; Silbernagel; Skarphol; Streyle; Sukut; Thoreson; Toman; Trottier; Weisz; Wieland; Speaker Devlin

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Engrossed HB 1196 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. N. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1207 as printed on HJ page 971, which motion prevailed on a voice vote.

Engrossed HB 1207, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1207: A BILL for an Act to create and enact a new subsection to section 44-06.1-09 of the North Dakota Century Code, relating to notarial acts performed in this state and bordering states; to amend and reenact subsection 1 of section 44-06.1-16, subsection 5 of section 44-06.1-21, and section 44-06.1-22 of the North Dakota Century Code, relating to notary stamps, the use of civil penalties collected by the secretary of state, and implementation of a notary public database; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; 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; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Reengrossed HB 1207 passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1236 as printed on HJ page 1042, which motion prevailed on a voice vote.

Engrossed HB 1236, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1236: A BILL for an Act to create and enact section 57-39.5-06 of the North Dakota Century Code, relating to payment of farm machinery gross receipts taxes under a lease agreement; to amend and reenact sections 57-39.5-01, 57-39.5-01.1, and 57-39.5-02 of the North Dakota Century Code, relating to farm machinery gross receipts tax application in lease or rental agreements and what qualifies as used farm machinery for farm machinery gross receipts tax purposes; and to provide an effective date.

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, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Carlson; Kreun; Porter; Steiner; Toman

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Reengrossed HB 1236 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1276 as printed on HJ pages 1042-1043, which motion prevailed on a voice vote.

Engrossed HB 1276, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1276: A BILL for an Act to create and enact sections 15.1-19-23 and 23-44-03 and a new subdivision to subsection 9 of section 43-12.1-04 of the North Dakota Century Code, relating to medication administration in primary or secondary schools, exemptions from the Nurse Practices Act, and the exemption of medication administration in primary or secondary schools from the nurse aide registry.

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, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Paur

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Reengrossed HB 1276 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1316 as printed on HJ pages 1058-1059, which motion prevailed on a voice vote.

Engrossed HB 1316, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1316: A BILL for an Act to create and enact two new sections to chapter 47-34 of the North Dakota Century Code, relating to good funds and disclosures for real estate transactions; and to amend and reenact sections 47-34-01 and 47-34-02 of the North Dakota Century Code, relating to good funds for real estate transactions.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Reengrossed HB 1316 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to HB 1336 as printed on HJ page 1019, which motion prevailed on a voice vote.

HB 1336, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1336: A BILL for an Act to create and enact a new subsection to section 20.1-08-04 of the North Dakota Century Code, relating to the proclamation for paddlefish tags.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Delzer; Drovdal; Grande

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Engrossed HB 1336 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1360 as printed on HJ pages 1150-1151, which motion prevailed on a voice vote.

Engrossed HB 1360, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; 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; Sukut; Thoreson; Toman; Trottier; Vigesaas; Wall; Weisz; Williams; Zaiser; Speaker Devlin

NAYS: Bellew; Delzer; Wieland

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Reengrossed HB 1360 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RUBY MOVED that the House do concur in the Senate amendments to HCR 3031 as printed on HJ page 1085, which motion prevailed on a voice vote.

HCR 3031, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3031: A concurrent resolution directing the Legislative Management to study special enforcement measures in high-fatality zones on highways in this state.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read. The roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; 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; Sukut; Thoreson; Toman; Trottier; Vigesaas; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Engrossed HCR 3031 was declared adopted on a recorded roll call vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. N. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1149 as printed on HJ page 1169, which motion prevailed on a voice vote.

Engrossed HB 1149, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1149: A BILL for an Act to create and enact a new subsection to section 37-17.1-06 and a new subdivision to subsection 1 of section 37-17.1-07.1 of the North Dakota Century Code, relating to emergency response to hazardous chemical, oil, gas, and salt water incidents.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 80 YEAS, 11 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Brabandt; Delzer; Grande; Kasper; Laning; Owens; Rohr; Ruby; Schatz; Schmidt; Skarphol

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Reengrossed HB 1149 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1175 as printed on HJ page 971, which motion prevailed on a voice vote.

Engrossed HB 1175, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1175: A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to an acute cardiovascular emergency medical system.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; 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; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland;

Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Reengrossed HB 1175 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to HB 1201 as printed on HJ page 1042, which motion prevailed on a voice vote.

HB 1201, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1201: A BILL for an Act to amend and reenact section 50-24.1-32 of the North Dakota Century Code, relating to medical assistance services provided by physician assistants; and to provide an effective date.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Engrossed HB 1201 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Reengrossed HB 1333 as printed on HJ pages 1070-1071, which motion prevailed on a voice vote.

Reengrossed HB 1333, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1333: A BILL for an Act to create and enact three new subsections to section 38-08-02, a new section to chapter 38-08, and a new section to chapter 38-11.1 of the North Dakota Century Code, relating to locating, definitions for, and mediation for pipeline facilities; to amend and reenact subsection 2 of section 38-08-04, sections 38-08-04.4 and 38-08-04.5, subsection 6 of section 38-08-15, subsection 1 of section 38-08-16, section 38-08-23, and subsection 1 of section 57-51-15 of the North Dakota Century Code, relating to saltwater disposal wells, the abandoned oil and gas well plugging and site reclamation fund, reclamation of pipelines facilities, and oil and gas gross production tax for reclamation; to provide for application; and to provide for retroactive application.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Boe; Boehning; Boschee; Brabandt;

Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; 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; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Belter; Heilman; Strinden

Reengrossed HB 1333 passed.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2060.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2076.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2072, SB 2074, SB 2108, SB 2131, SB 2211, SB 2227, SB 2229, SB 2251, SB 2257, SB 2345, SB 2364.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2125, SB 2175.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SB 2212, SB 2319.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1197, HB 1327, HB 1378, HB 1428, HB 1429, HCR 3028.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1274, HB 1278, HB 1424, HB 1464.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1131.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1138, HB 1171, HB 1180, HB 1332.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1138

Page 2, line 11, remove "The board shall deny a license, refuse to renew a license, suspend a license, revoke a"

Page 2, remove lines 12 through 14

Page 2, line 15, remove "2."

Page 2, line 18, after "of" insert "a felony offense."

Page 3, line 1, remove the overstrike over "2."

Page 3, line 1, remove "3."

Page 3, line 9, remove the overstrike over "3."

Page 3, line 9, remove "4."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1171

Page 1, line 9, after "contract" insert "issued in this state"

Page 1, line 20, after "insurance" insert "issued in this state"

Page 2, line 9, replace "Within ninety days of the effective date of this Act" with "Before November 1, 2014"

Page 2, line 17, replace "ninety days" with "four months"

Page 2, line 20, remove the second "and"

Page 2, line 21, after "b." insert: "Review the insurer's records to determine whether the individual who has died purchased any other products with the insurer; and

c."

Page 3, line 8, after "4." insert: "Every insurer shall implement procedures to account for:

- a. Nicknames, initials used in lieu of a first or middle name, use of a middle name, compound first and middle names, and interchanged first and middle names;
- b. Compound last names, maiden or married names, and hyphens, blank spaces, and apostrophes in last names;
- c. Incomplete date of birth data and transposition of the month and date portions of a date of birth; and
- d. Incomplete social security numbers.

5."

Page 3, line 14, replace "5." with "6."

Page 3, line 17, replace "6." with "7."

Page 3, remove lines 21 through 30

Page 4, replace lines 1 and 2 with:

"Rulemaking.

The commissioner may adopt rules to limit an insurer's death master file comparisons and revised death master file comparisons required under this chapter to the insurer's electronic searchable files, to allow the commissioner to approve an insurer's plan and timeline for conversion of the insurer's files to electronic searchable files, and to allow for phasing-in compliance with this chapter according to an insurer's plan and timeline approved by the commissioner."

Page 4, line 6, after "**practices**" insert "**- Liability limitation**"

Page 4, line 7, after the underscored period insert "This chapter does not create a private cause of action for violation of this chapter. Once an insurer submits unclaimed life insurance benefits or unclaimed retained asset accounts, plus any applicable accrued interests, to the state abandoned property office in compliance with this chapter, the insurer is relieved and indemnified from additional liability to any person relating to the proceeds submitted. This indemnification from liability is in addition to any other protections provided by law."

Page 4, line 16, remove "If the policy or annuity contract provides for death benefits and is covered under"

Page 4, remove line 17

Page 5, line 21, remove the underscored comma

Page 5, line 22, remove the overstrike over "~~four months after~~"

Page 5, line 22, remove "ninety days following the company learning of"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1180

Page 1, line 2, remove "the qualifications, authority, and"

Page 1, line 3, replace "duties of" with "a pilot program for"

Page 1, line 3, after "managers" insert "; and to provide an expiration date"

Page 1, line 8, after "**manager**" insert "**- Pilot program**"

Page 1, line 9, replace "Under" with "The department shall establish a pilot program for the provision of independent case management services under"

Page 1, line 9, replace ", an" with "within a county located entirely within an Indian reservation for the biennium beginning July 1, 2013, and ending June 30, 2015. An"

Page 1, line 11, remove "licensed"

Page 1, line 11, after "worker" insert "licensed under section 43-41-04"

Page 2, line 4, after "**manager**" insert "**- Pilot program**"

Page 2, line 5, replace "Under" with "The department shall establish a pilot program for the provision of independent case management services under"

Page 2, line 5, replace ", an" with "within a county located entirely within an Indian reservation for the biennium beginning July 1, 2013, and ending June 30, 2015. An"

Page 2, line 7, remove "licensed"

Page 2, line 7, after "worker" insert "licensed under section 43-41-04"

Page 2, line 23, after "**manager**" insert "**- Pilot program**"

Page 2, line 24, replace "Under" with "The department shall establish a pilot program for the provision of independent case management services under"

Page 2, line 24, replace ", an" with "within a county located entirely within an Indian reservation for the biennium beginning July 1, 2013, and ending June 30, 2015. An"

Page 2, line 26, remove "licensed"

Page 2, line 26, after "worker" insert "licensed under section 43-41-04"

Page 3, after line 7, insert:

"SECTION 4. EXPIRATION DATE. This Act is effective through June 30, 2015, and after that date is ineffective."

Renumber accordingly

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1332

Page 4, line 11, overstrike "A" and insert immediately thereafter "An alternative"

Page 5, line 14, overstrike "information"

Page 5, line 22, after "election" insert "and will be a qualified elector of the precinct"

Page 5, line 30, after "available" insert "or tribal identification number or a copy of the voter's alternate form of identification approved by the secretary of state under subdivision c of subsection 1 of section 16.1-05-07"

Page 5, after line 30 insert:

"2."

Page 6, line 1, after "name" insert "to the application"

Page 6, line 7, overstrike "2." and insert immediately thereafter:

"3. If the applicant does not possess an approved form of identification as provided for under subsection 1 of section 16.1-05-07, the application also must be signed by another qualified elector who, by signing, certifies that the applicant is a qualified elector. The secretary of state shall prescribe the form of the certification required under this subsection.

"4."

Page 6, line 13, overstrike "3." and insert immediately thereafter "5."

Page 6, line 16, replace "4." with "6."

Page 7, line 11, replace "subsection" with "subsections"

Page 7, line 11, after "9" insert "and 11"

Page 8, line 5, remove "not"

Page 8, line 6, after the underscored period insert "The fee is eight dollars."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1025, HB 1130, HB 1412, HB 1451, HCR 3011.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1025

Page 1, line 1, replace "subsection" with "subsections"

Page 1, line 1, after "3" insert "and 4"

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

Page 1, line 2, after "37-17.1-17" insert ", and 40-22-01.1"

Page 1, line 3, after "responses" insert "and financing of repairs"

Page 1, line 7, overstrike "must" and insert immediately thereafter "may"

Page 1, line 8, remove the overstrike over "declared"

Page 1, line 9, replace "by a jurisdiction having" with "under"

Page 1, line 10, remove ". Compensation for property or damage to property is the responsibility of the"

Page 1, line 11, replace "jurisdiction that commandeered or otherwise used the property" with "and only"

Page 1, line 11, remove the third "the"

Page 1, line 12, remove "responsibility was"

Page 1, line 12, replace "mitigated by agreement" with "waived or agreed upon"

Page 1, line 13, after the period insert "A claim made against the state must be filed and resolved as provided under subsections 4 and 5. A claim made against a county or city must be made in writing to the appropriate governing body within one year after the use, damage, loss, or destruction of the property under proper authority is discovered or reasonably should have been discovered, may only be for actual damages not recovered from claimants' property or other applicable insurance, and may be paid from any combination of funds provided under section 40-22-01.1, disaster relief funds made available to a county or city for this purpose, or other funds at the discretion of the governing body."

SECTION 2. AMENDMENT. Subsection 4 of section 37-17.1-12 of the North Dakota Century Code is amended and reenacted as follows:

4. Any person claiming compensation for the use, damage, loss, or destruction of property by the state under this chapter shall file a written claim therefor with the office of management and budget in the form and manner required by the office. The claim for compensation must be received by the office of management and budget within one year after the use, damage, loss, or destruction of the property pursuant to the governor's order under section 37-17.1-05 is discovered or reasonably should have been discovered or compensation under this chapter is waived."

Page 1, line 18, remove the overstrike over "~~The state, a county or city, any~~"

Page 1, line 18, remove "Any"

Page 1, line 21, remove the overstrike over "~~person~~"

Page 1, line 21, remove "individual"

Page 1, line 22, remove the overstrike over "~~person~~"

Page 1, line 22, remove "individual"

Page 2, line 4, after "property" insert "except as compensation may be provided in section 37-17.1-12"

Page 2, line 22, remove "gross"

Page 2, line 23, replace "negligence" with "willful and malicious failure to guard or warn against a dangerous condition, use, structure, or activity"

Page 2, after line 24, insert:

"SECTION 5. AMENDMENT. Section 40-22-01.1 of the North Dakota Century Code is amended and reenacted as follows:

40-22-01.1. Restoration of certain property damaged in flood control or during a declared disaster or emergency - Special assessments for costs.

When any city ~~shall have~~has constructed any temporary emergency flood control protection devices or works to protect property located within a portion of a

city from flood damage or expended funds for the protection of the city from flood or other peril under chapter 37-17.1 or otherwise, the city may ~~cause the removal of~~ maintain and remove material used in the construction of ~~such~~ the temporary emergency flood control protection devices or works and the repair of damages to land, buildings, or personal property caused by the operation of its equipment upon the property while in the process of installing or removing ~~such~~ the temporary emergency flood protection systems. ~~Such~~ The city may create by resolution of its governing board a special assessment district encompassing the protected area. Special assessments against the property within the district ~~shall~~ must be imposed to cover the costs incurred by the city in constructing and maintaining the emergency flood protection devices or works and in removing the material used and in repairing the damages caused by the operation of equipment while installing or removing ~~such~~ the temporary emergency flood protection systems. The amount to be assessed must be established by a resolution adopted by the governing board. Special assessments against any property in the district ~~shall~~ must be determined and made in the same manner as is provided for improvements by special assessments to the extent consistent herewith, and the certification and collection, including lien provisions, applicable to other special assessments ~~shall be~~ applicable hereto. Provided, however, that the provisions of sections 40-22-15, 40-22-17, and 40-22-18, relating to a resolution of necessity and protests against special assessments, ~~shall~~ sections 40-22-10, 40-22-11, and 40-22-29, relating to engineers' reports, plans, and estimates, and section 40-22-19, relating to contract proposals, do not apply to special assessment districts created pursuant to ~~under~~ this section."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1130

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to computerized issuance of game and fish licenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-03-17 of the North Dakota Century Code is amended and reenacted as follows:

20.1-03-17. Issuance of licenses - Who to issue - County auditor may appoint agents to receive service fees - Disposition of proceeds - Continuing appropriation.

All hunting, fur-bearer, fishing, and taxidermists' licenses must be issued by county auditors, the director, deputy director, and bonded game wardens. The county auditors, deputy director, and each bonded game warden shall send the director all license fees. For each license the county auditor issues, the county auditor shall collect the authorized charges and record them in the county auditor's record of cash received. Unless the county auditor and the board of county commissioners execute a written agreement providing for the disposition of compensation for the issuance of licenses, the county auditor is entitled to be reimbursed, as compensation, twenty-five cents for the issuance of each of the first one thousand resident hunting, fishing, or fur-bearer licenses issued each year and fifteen cents for the issuance of each resident hunting, fishing, or fur-bearer license issued in excess of the first one thousand licenses issued each year; one dollar for the issuance of each nonresident hunting or fur-bearer license; twenty-five cents for the issuance of each nonresident fishing license; and ten cents for the issuance of each nonresident general game license. The compensation due for the issuance of licenses is hereby appropriated as a standing and continuing appropriation from the game and fish fund for the purposes of this section. By March 1, 2015, each county auditor shall implement a computerized online licensing system approved by the department. The county auditor is responsible for any equipment, supplies, and technical support associated with selling licenses online.

The county auditor may appoint agents to distribute hunting and fishing licenses or stamps. A county auditor may not provide hunting or fishing licenses to agents located outside this state, but the director may provide licenses to agents

located outside this state if there are no agents located a reasonable distance within this state where nonresidents may obtain licenses. The director and county auditor may require agents to show evidence of adequate financial security before the agents are appointed. Adequate financial security may be evidenced by a letter of credit, cash deposit, or bond. Agents may be bonded through the state bonding fund. The agents may charge purchasers a service fee of fifty cents for each license. Service fees may be retained by the agent. The agent shall return the remainder of the license fees to the county auditor for deposit with the county treasurer, or to the director if the agent is appointed by the director, at least once each month, and not later than three days after the close of the month. Notwithstanding section 26.1-21-11, if a claim against the state bonding fund is not filed within sixty days of the expiration of the reporting period provided in this section, the claim is waived. Deposits are to be accompanied by a report showing the amounts received from the sale of each type of license, the amount retained, and the net amounts deposited. The county treasurer shall credit the fees so deposited to a separate account and shall hold the fees, subject to warrant for payment thereof drawn by the county auditor in favor of the director. The director shall deposit all license or stamp fees received with the state treasurer to be credited to the game and fish fund. By March 1, 2016, each agent appointed by a county auditor to distribute hunting and fishing licenses or stamps shall implement a computerized online licensing system approved by the department. The agent is responsible for any equipment, supplies, and technical support associated with selling licenses online."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1412

Page 1, line 1, after "to" insert "create and enact a new section to chapter 19-03.1 of the North Dakota Century Code, relating to immunity from criminal liability in medical emergencies involving controlled substances; and to"

Page 3, line 27, after "alcohol" insert "or drug"

Page 4, after line 8, insert:

"SECTION 4. A new section to chapter 19-03.1 of the North Dakota Century Code is created and enacted as follows:

Controlled substance overdose - Limited immunity from prosecution.

1. For purpose of this section, "overdose" means a controlled substance-induced physiological event that results in a life-threatening emergency to the individual who ingested, inhaled, injected, or otherwise bodily absorbed a controlled substance.
2. An individual who, in good faith, seeks or obtains emergency medical assistance for someone experiencing an overdose may not be charged or prosecuted under this chapter for possession of a controlled substance if evidence for the possession charge was acquired as a result of the individual seeking or obtaining emergency medical assistance.
3. An individual who is experiencing an overdose may not be charged or prosecuted for possession of a controlled substance under this chapter if evidence for the possession charge was acquired as a result of the individual seeking or obtaining emergency medical assistance.
4. The limited immunity described in subsections 2 and 3 may not be extended if law enforcement has reasonable suspicion or probable cause to detain, arrest, or search the individual described in subsection 2 or 3 for criminal activity and the reasonable suspicion or probable cause is based on information obtained before or independent of the individual described in subsection 2 or 3 taking action to seek or obtain emergency medical assistance and not obtained as a direct result of the action of seeking or obtaining emergency medical assistance. This section is not intended to interfere with or prevent the investigation, arrest, or

prosecution of any individual for the delivery or distribution of cannabis, methamphetamine or other controlled substances, drug-induced homicide, or any other crime."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1451

Page 1, line 1, after "sections" insert "16.1-08.1-03.1,"

Page 1, line 2, after "to" insert "disclosure requirements for petition sponsors and"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 16.1-08.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-03.1. Contributions statement required of persons and measure committees circulating or promoting passage or defeat of initiated or referred measure - Statement of petition sponsors.

1. At the time the sponsoring committee for an initiated measure petition submits signed petitions to the secretary of state, the committee also shall submit a statement disclosing the total amount of contributions received by the committee to aid the committee in drafting and circulating the petition, the name and mailing address of each person that contributed more than one hundred dollars in the aggregate to the sponsoring committee, the date each such contribution was received, and the total amount of expenditures made by the committee to aid in the drafting and circulation of the petition.
2. Any person or measure committee, as described in section 16.1-08.1-01, that is soliciting or accepting a contribution for the purpose of aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure placed upon a statewide ballot by action of the legislative assembly at any election shall file a statement in accordance with this subsection if the person has received any contribution in excess of one hundred dollars. The statement must include the name and mailing address of each person that contributed in excess of one hundred dollars to the person, the amount of each reportable contribution, and the date each reportable contribution was received. The statement must include the name and mailing address of each recipient of an expenditure exceeding one hundred dollars in the aggregate, the amount of each reportable expenditure, and the date the expenditure was made.
3. A person or measure committee that is soliciting or accepting a contribution for the purpose of aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure placed upon a statewide ballot by action of the legislative assembly may not accept a contribution of more than one hundred dollars from an out-of-state person or political committee unless the contribution is accompanied by a certified statement from the contributor listing the name, address, and amount contributed by each person that contributed more than one hundred dollars of the contribution. The statement must indicate if no person contributed in excess of one hundred dollars of the out-of-state person's or political committee's overall contribution. The certified statement must also list the occupation, employer, and principal place of business for each individual who contributed more than one hundred dollars of the contribution. The person soliciting or accepting a contribution for the purpose of aiding the circulation of a statewide initiative or referendum petition or of promoting passage or defeat of a statewide initiated or referred measure shall include this statement with the contribution statement required to be filed under subsection 2.

4. The statement required of a person or measure committee under subsection 2 must be filed with the secretary of state no later than the twelfth day before the date of the election in which the measure appears or would have appeared on the ballot complete from the beginning of that calendar year through the twentieth day before the date of the election. A complete statement for the entire calendar year for each statement required to be filed under subsections 2 and 3 must be filed no later than the thirty-first day of January of the following year. Even if a person required to report according to this section has not received any contributions in excess of one hundred dollars during the reporting period, the person shall file a statement as required by this chapter. A statement filed according to subsections 2 and 3 during the reporting period must show the following:
 - a. The gross total of all contributions received and expenditures made in excess of one hundred dollars;
 - b. The gross total of all contributions received and expenditures made of one hundred dollars, or less; and
 - c. The cash on hand in the filer's account at the start and close of the reporting period.
5. Within one hundred eighty days after the approval of a petition to initiate or refer a measure or to recall an official or after the submission of a petition to convene a grand jury as provided under section 29-10.1-02, the sponsoring committee or the individual responsible for submission of the petition shall file a statement with the secretary of state which discloses whether petition circulators have been or will be paid for the circulation of petitions and which lists the total amount of money paid or which is expected to be paid to circulators."

Page 1, line 18, replace "forty" with "twenty-five"

Page 1, line 20, after "not" insert "be fewer than two hundred twenty-five nor"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3011

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

Page 1, line 1, after "2" insert "and 3"

Page 1, line 2, after "the" insert "circulation of petitions and the"

Page 1, line 5, replace "twenty" with "forty"

Page 1, line 5, after "ballot" insert "and would provide that the legislative assembly may establish the qualifications for petition circulators"

Page 1, line 8, replace "amendment" with "amendments"

Page 1, line 8, replace "section" with "sections"

Page 1, line 8, after "2" insert "and 3"

Page 1, line 9, replace "is" with "are"

Page 1, after line 14, insert:

"1."

Page 1, after line 19 insert:

"2."

Page 1, line 24, replace "twenty" with "at least forty"

Page 1, line 24, replace "or more" with ", plus the adjustment for inflation provided for under subsection 3."

Page 1, line 24, replace "is due to become" with "becomes"

Page 2, after line 2, insert:

"3. On July first of each odd-numbered year, the legislative council shall calculate the rate of inflation over the previous two years based upon the consumer price index announced by the federal bureau of labor statistics and adjust the threshold upon which the legislative council makes its determination of fiscal impact under subsection 2. The legislative council shall provide public notice of the recalculated threshold by August first of each odd-numbered year.

SECTION 2. AMENDMENT. Section 3 of article III of the Constitution of North Dakota is amended and reenacted as follows:

Section 3. The legislative assembly may establish qualifications for petition circulators. However, a petition shall may be circulated only by electors. TheyEach petition circulator shall swear thereonon the petition that the electors who have signed the petition did so in thethe presence of that circulator. Each elector signing a petition shall also write in the date of signing and histhe elector's post-office address. No law shall may be enacted limiting the number of copies of a petition. The copies shall become part of the original petition when filed.

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1093, HB 1287, HCR 3035.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HCR 3003, HCR 3033, HCR 3039.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1028, HB 1030, HB 1060, HB 1079, and HB 1103.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1113, HB 1125, HB 1149, HB 1168, HB 1175, HB 1196, HB 1201, HB 1207, HB 1236, HB 1276, HB 1316, HB 1333, HB 1336, HB 1360, and HCR 3031.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1112, HB 1126, HB 1157, and HB 1163, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1112: Reps. Vigasaa; Kasper; Amerman
HB 1126: Reps. Owens; Sukut; Gruchalla
HB 1157: Reps. Beadle; Klein; Hanson
HB 1163: Reps. Ruby; Keiser; M. Nelson

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2094: Reps. Heilman; Meier; Mock
SB 2095: Reps. Rust; Heller; Mock

SB 2339: Reps. Beadle; Kreun; Gruchalla

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

MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2129: Reps. Sukut; Louser; M. Nelson

SB 2160: Reps. Schatz; Wall; J. Kelsh

SB 2223: Reps. Kreun; Becker; Gruchalla

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1028, HB 1030, HB 1060, HB 1079, HB 1103, HB 1193, HB 1200, HB 1246, HB 1310.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2041, SB 2140, SB 2166, SB 2306, SCR 4017.

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

MR. SPEAKER: The President has signed: HB 1028, HB 1030, HB 1060, HB 1079, HB 1103, HB 1193, HB 1200, HB 1246, HB 1310.

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

MR. PRESIDENT: The Speaker has signed: HB 1024, HB 1059, HB 1118, HB 1119, HB 1206, HB 1361, HB 1401, HB 1467.

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

MR. PRESIDENT: The Speaker has signed: SB 2041, SB 2140, SB 2166, SB 2306, SCR 4017.

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

MR. SPEAKER: The President has signed: SB 2199, SB 2272, SB 2292.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

This is to inform you that on April 3, 2013, I have signed the following: HB 1153 and HB 1468.

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, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 9:00 a.m., Friday, April 5, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2298, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2298 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on page 1132 of the House Journal, Engrossed Senate Bill No. 2298 is amended as follows:

Page 1, line 8, overstrike "If the organization does not give" and insert immediately thereafter "A presumption may not be established in favor of"

Page 1, overstrike lines 9 through 11

Page 1, line 12, overstrike "employee's record based on one or more of" and insert immediately thereafter "The organization shall resolve conflicting medical opinions and in doing so the organization may consider"

Page 1, line 20, remove "At an administrative hearing, the organization's determination under subsection 1 is"

Page 1, remove line 21

Page 1, line 22, remove "3."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2344, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2344 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "an appropriation for training service dogs; and to provide"

Page 1, line 2, after "study" insert "regarding North Dakota veterans"

Page 1, remove lines 4 through 8

Page 1, line 10, replace "consider studying" with "study"

Page 1, line 14, replace "consider studying" with "study"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4006, as engrossed: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4006 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A concurrent resolution" replace the remainder of the resolution with "to create and enact a new section to article III of the Constitution of North Dakota, relating to approval of petitions for proposed initiated constitutional amendments by the attorney general before circulation.

STATEMENT OF INTENT

This measure would prohibit the circulation of a petition to initiate a constitutional amendment if the attorney general determines the proposed amendment would make a direct appropriation of public funds for a specific purpose or would require the legislative assembly to appropriate funds for a specific purpose.

BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the following proposed new section to article III of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the primary election to be held in 2014, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. A new section to article III of the Constitution of North Dakota is created and enacted as follows:

Before the secretary of state may approve a petition to initiate a constitutional amendment, the secretary of state shall forward the proposed amendment to the attorney general for review. The attorney general shall review the proposed amendment to determine whether the proposed amendment would make a direct appropriation of public funds for a specific purpose or would require the legislative assembly to appropriate funds for a specific purpose. If the attorney general determines that the proposed amendment would make a direct appropriation of public funds for a specific purpose or would require the legislative assembly to

appropriate funds for a specific purpose, the secretary of state shall notify the committee for the petitioners that the petition may not be approved for circulation."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4010, as engrossed: 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). Engrossed SCR 4010 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A concurrent resolution" replace the remainder of the resolution with "to amend and reenact section 24 of article X of the Constitution of North Dakota, relating to allocation of revenue from oil extraction taxes.

STATEMENT OF INTENT

This measure provides for the deposit of certain oil extraction taxes into the state retirement stabilization fund and the foundation aid stabilization fund and provides for the determination of balances in each fund.

BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the following proposed amendment to section 24 of article X of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the primary election to be held in 2014, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. AMENDMENT. Section 24 of article X of the Constitution of North Dakota is amended and reenacted as follows:

Section 24.

1. Twenty percent of the revenue from oil extraction taxes from taxable oil produced in this state must be allocated as follows:
 - 4- a. Fifty percent must be deposited in the common schools trust fund:
 - 2- Fifty:
 - b. Thirty percent must be deposited in the state retirement stabilization fund; and
 - c. Twenty percent must be deposited in the foundation aid stabilization fund in the state treasury, the.
2. Moneys in the state retirement stabilization fund may be expended by the legislative assembly only for the purpose of addressing unfunded retirement benefit obligations to which members of state retirement systems may be entitled. The balance of moneys to be maintained in the fund must be determined by law.
3. The interest income of which the foundation aid stabilization fund must be transferred to the state general fund on July first of each year. The principal in the foundation aid stabilization fund may not exceed one hundred fifty percent of the principal amount in that fund on July 1, 2014. The use of the excess in that fund must be determined by law. The principal of remaining in the foundation aid stabilization fund may be expended only upon order of the governor, who may direct such a transfer only to offset foundation aid reductions that were made by executive action pursuant to law due to a revenue shortage."

Renumber accordingly

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

Buell J. Reich, Chief Clerk

