

JOURNAL OF THE HOUSE

Sixty-second Legislative Assembly

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Bismarck, March 24, 2011

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

The prayer was offered by Pastor Donna Dohrmann, Lutheran Church of the Cross, Bismarck.

The roll was called and all members were present except Representatives Belter, Klemin, and Owens.

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 Fiftieth and Fifty-first Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1039, line 29, after "**PASS**" insert "."

Page 1053, line 18, replace "after the" with "the"

Page 1065, line 35, delete "SB 2182"

Page 1065, line 37, insert "SB 2182, " after "SB 2169, "

Page 1059, line 27, after "VOTING" insert "."

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

SIXTH ORDER OF BUSINESS

SPEAKER DROVDAL DEEMED approval of the amendments to Engrossed SB 2037, Engrossed SB 2042, Engrossed SB 2043, SB 2044, Engrossed SB 2047, Engrossed SB 2050, SB 2067, SB 2115, Engrossed SB 2172, Engrossed SB 2210, Engrossed SB 2294, Reengrossed SB 2298, Reengrossed SB 2320, Engrossed SB 2329, and Engrossed SB 2331.

Engrossed SB 2043 and Reengrossed SB 2298, as amended, were rereferred to the **Appropriations Committee**.

Engrossed SB 2037, Engrossed SB 2042, SB 2044, Engrossed SB 2047, Engrossed SB 2050, SB 2067, SB 2115, Engrossed SB 2172, Engrossed SB 2210, Engrossed SB 2294, Reengrossed SB 2320, Engrossed SB 2329, and Engrossed SB 2331, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. VIGESAA MOVED that SB 2157, which is on the Fourteenth order, be laid over two legislative days, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. GRANDE MOVED that the House do concur in the Senate amendments to HB 1167 as printed on HJ page 1066, which motion prevailed on a voice vote.

HB 1167, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1167: A BILL for an Act to create and enact a new section to chapter 1-03 of the North

Dakota Century Code, relating to women veterans' month; and to declare an emergency.

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; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Belter; Klemin; Owens

HB 1167, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2065: A BILL for an Act to amend and reenact subsection 1 of section 44-08-04 of the North Dakota Century Code, relating to officer and employee claims for meals.

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; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

ABSENT AND NOT VOTING: Belter; Klemin; Owens

SB 2065, as amended, passed.

SECOND READING OF SENATE BILL

SB 2073: A BILL for an Act to amend and reenact section 16.1-08.1-01, subsection 1 of section 16.1-08.1-03.3, section 16.1-08.1-03.5, and subsection 2 of section 16.1-08.1-03.8 of the North Dakota Century Code, relating to the definition of direct expenditures and campaign contribution statements.

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

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brabandt; Brandenburg;

Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Speaker Drovda

NAYS: Kaldor; Kroeber; Mueller; Steiner; Zaiser

ABSENT AND NOT VOTING: Belter; Klemin; Owens

Engrossed SB 2073, as amended, passed.

SECOND READING OF SENATE BILL

SB 2085: A BILL for an Act to create and enact subdivision c to subsection 1 of section 4.1-47-31 of the North Dakota Century Code, relating to the penalty for selling noxious weeds; to amend and reenact section 4.1-47-02 of the North Dakota Century Code, relating to the control and sale of noxious weeds; to provide a penalty; and to allow the agriculture commissioner to use environment and rangeland protection funds for invasive species control.

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

YEAS: Amerman; Anderson; Beadle; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

NAYS: Bellew

ABSENT AND NOT VOTING: Belter; Klemin; Owens

Engrossed SB 2085, as amended, passed.

SECOND READING OF SENATE BILL

SB 2193: A BILL for an Act to amend and reenact sections 40-51.2-05 and 40-51.2-07 of the North Dakota Century Code, relating to notice of proposed annexations.

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; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.;

Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Belter; Klemin; Owens

Engrossed SB 2193, as amended, passed.

SECOND READING OF SENATE BILL

SB 2213: A BILL for an Act to amend and reenact section 54-52.4-03 of the North Dakota Century Code, relating to family medical leave for state employees; and to declare an emergency.

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; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Belter; Klemin; Owens

SB 2213, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2246: A BILL for an Act to amend and reenact section 57-40.6-02 of the North Dakota Century Code, relating to fees imposed for emergency services communications.

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 75 YEAS, 16 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Boe; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Devlin; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Rohr; Ruby; Rust; Sanford; Schmidt; Steiner; Streyle; Sukut; Trottier; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Zaiser

NAYS: Bellew; Boehning; Delzer; Dosch; Headland; Heller; Kasper; Kelsch, R.; Meier, L.; Porter; Schatz; Skarphol; Thoreson; Vigasaa; Wrangham; Speaker Drovdal

ABSENT AND NOT VOTING: Belter; Klemin; Owens

SB 2246, as amended, passed.

SECOND READING OF SENATE BILL

SB 2255: A BILL for an Act to create and enact sections 39-22.1-01.1, 39-22.1-05, and 39-22.1-06 of the North Dakota Century Code, relating to the licensure of trailer dealers; and to amend and reenact sections 39-22-19, 39-22.1-01, 39-22.1-02, 39-22.1-03, and 39-22.1-04 of the North Dakota Century Code, relating to insurance for motor vehicle dealers and requirements for the licensing of trailer dealers; to provide a penalty; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brabandt; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trotter; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Zaiser; Speaker Drovdal

NAYS: Brandenburg; Delzer; Headland; Meyer, S.; Vigasaa; Wrangham

ABSENT AND NOT VOTING: Belter; Klemin; Owens

Engrossed SB 2255, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2296: A BILL for an Act to create and enact a new section to chapter 54-44.5 of the North Dakota Century Code, relating to an energy usage database for public buildings.

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 39 YEAS, 51 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Boe; Brabandt; Clark; Dahl; Delmore; Devlin; Glassheim; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kelsh, J.; Kelsh, S.; Koppelman; Kreun; Kroeber; Louser; Maragos; Meyer, S.; Mock; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Sanford; Winrich; Zaiser

NAYS: Bellew; Boehning; Brandenburg; Carlson; Conklin; Damschen; DeKrey; Delzer; Dosch; Frantsvog; Froseth; Grande; Headland; Heller; Hofstad; Karls; Kasper; Kelsch, R.; Kempenich; Kilichowski; Kingsbury; Klein; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nathe; Pollert; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trotter; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Drovdal

ABSENT AND NOT VOTING: Belter; Keiser; Klemin; Owens

Engrossed SB 2296, as amended, lost.

SECOND READING OF SENATE BILL

SB 2349: A BILL for an Act to provide for a legislative management study of election laws.

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 39 YEAS, 51 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Beadle; Carlson; Clark; Dahl; Devlin; Glassheim; Guggisberg; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Koppelman; Kretschmar; Kreun; Maragos; Meier, L.; Mock; Paur; Pietsch; Rust; Sanford; Schmidt; Steiner; Sukut; Wall; Williams; Zaiser; Speaker Drovdal

NAYS: Anderson; Bellew; Boe; Boehning; Brabandt; Brandenburg; Conklin; Damschen; DeKrey; Delmore; Delzer; Dosch; Frantsvog; Froseth; Grande; Gruchalla; Headland; Heilman; Heller; Karls; Kasper; Kelsch, R.; Kempenich; Klein; Kreidt; Kroeber; Louser; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Pollert; Porter; Rohr; Ruby; Schatz; Skarphol; Streyle; Thoreson; Trottier; Vigasaa; Weiler; Weisz; Wieland; Winrich; Wrangham

ABSENT AND NOT VOTING: Belter; Keiser; Klemin; Owens

Engrossed SB 2349, as amended, lost.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4003: A concurrent resolution supporting the Northern Tier Network Technology Initiative, its private enterprise partners, and the related activities of the Legislative Management's Information Technology Committee.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 66 YEAS, 24 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brabandt; Clark; Dahl; Delmore; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Kreidt; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Skarphol; Steiner; Streyle; Sukut; Wall; Wieland; Williams; Winrich; Zaiser; Speaker Drovdal

NAYS: Brandenburg; Carlson; Conklin; Damschen; DeKrey; Delzer; Devlin; Dosch; Headland; Heller; Kasper; Kempenich; Klein; Koppelman; Kretschmar; Nathe; Pollert; Schatz; Thoreson; Trottier; Vigasaa; Weiler; Weisz; Wrangham

ABSENT AND NOT VOTING: Belter; Keiser; Klemin; Owens

Engrossed SCR 4003, as amended, was declared adopted on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2077: A BILL for an Act to create and enact a new chapter to title 50 of the North Dakota Century Code, relating to expanded service payments for elderly and disabled; and to amend and reenact sections 50-24.5-01, 50-24.5-02, 50-24.5-03, and 50-24.5-04 of the North Dakota Century Code, relating to the requirements for basic care assistance eligibility, personal care services, and functional assessment criteria.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Belter; Keiser; Klemin; Owens

Engrossed SB 2077 passed.

SECOND READING OF SENATE BILL

SB 2121: A BILL for an Act to repeal chapter 6-09.6 of the North Dakota Century Code, relating to the developmentally disabled facility loan program; and to provide for the sale of loans and transfer of proceeds to the common schools trust fund.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 1 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Ruby

ABSENT AND NOT VOTING: Belter; Keiser; Klemin; Owens

Engrossed SB 2121 passed.

SECOND READING OF SENATE BILL

SB 2167: A BILL for an Act to create and enact seven new sections to chapter 15.1-19 of the North Dakota Century Code, relating to bullying.

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, 71 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Gruchalla; Guggisberg; Hanson; Hogan; Holman; Kelsh, J.; Kelsh, S.; Kilichowski; Kreidt; Kroeber; Metcalf; Meyer, S.; Mock; Nelson, M.; Onstad; Williams; Winrich

NAYS: Anderson; Beadle; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kempenich; Kingsbury; Klein; Koppelman; Kretschmar; Kreun; Louser; Maragos; Martinson; Meier, L.; Monson; Mueller; Nathe; Nelson, J.; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Belter; Keiser; Klemin; Owens

Engrossed SB 2167 lost.

SECOND READING OF SENATE BILL

SB 2171: A BILL for an Act to amend and reenact section 57-39.2-04.7 of the North Dakota Century Code, relating to sales and use tax exemption for equipment used in telecommunications infrastructure development; to provide an effective date; 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 84 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Beadle; Frantsvog; Hogan; Kreun; Kroeber; Ruby

ABSENT AND NOT VOTING: Belter; Keiser; Klemin; Owens

Reengrossed SB 2171 passed.

SECOND READING OF HOUSE AND SENATE RESOLUTIONS ON CONSENT CALENDAR

HCR 3043: A concurrent resolution directing the Legislative Management to study the filling of vacancies in the Legislative Assembly.

SCR 4001: A concurrent resolution directing the Legislative Management to study the imposition of fees by courts at sentencing and other fees that are imposed upon offenders.

SCR 4014: A concurrent resolution urging the Government of Turkey to grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession, and the right to train clergy of all nationalities and to respect the property rights and human rights of the Ecumenical Patriarchate; and for other purposes.

SCR 4017: A concurrent resolution directing the Legislative Management to study the feasibility and desirability of allowing school officials, including officials of higher education institutions, access to the otherwise confidential files and records of the juvenile court.

The question being on the final adoption of the resolutions, which have been read.

HCR 3043, SCR 4001, SCR 4014, and SCR 4017 were declared adopted on a voice vote.

SPEAKER DROVDAL TURNED the gavel over to Rep. Monson.

SECOND READING OF SENATE BILL

SB 2238: A BILL for an Act to amend and reenact subsection 2 of section 11-09.1-05 and sections 40-05.1-06, 57-39.2-12.1, 57-39.5-04, 57-39.6-04, and 57-40.2-07.1 of the North Dakota Century Code, relating to compensation allowable to retailers for expenses associated with the collection, reporting, and remittance of state and local option sales, use, and gross receipts taxes; 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 39 YEAS, 49 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Conklin; Dahl; DeKrey; Delmore; Dosch; Hanson; Hatlestad; Heilman; Hofstad; Holman; Hunskor; Kaldor; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kreun; Kroeber; Maragos; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Nelson, J.; Nelson, M.; Onstad; Porter; Sanford; Steiner; Sukut; Weisz; Williams; Winrich

NAYS: Boehning; Brabandt; Brandenburg; Carlson; Clark; Damschen; Delzer; Devlin; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hawken; Headland; Heller; Hogan; Johnson, D.; Johnson, N.; Karls; Kasper; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Louser; Martinson; Monson; Nathe; Paur; Pietsch; Pollert; Rohr; Ruby; Rust; Schatz; Schmidt; Skarphol; Streyle; Thoreson; Trottier; Vigesaa; Wall; Weiler; Wieland; Wrangham; Zaiser

ABSENT AND NOT VOTING: Belter; Frantsvog; Keiser; Klemin; Owens; Speaker Drovdal

Engrossed SB 2238 lost.

SECOND READING OF SENATE BILL

SB 2243: A BILL for an Act to create and enact a new subsection to section 43-19.1-29 of the North Dakota Century Code, relating to exemptions to regulation by the state board of registration for professional engineers and land surveyors; and to amend and reenact section 43-19.1-02 and subsection 1 of section 43-19.1-27 of the North Dakota Century Code, relating to regulation of professional engineers and land surveyors.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser

ABSENT AND NOT VOTING: Belter; Frantsvog; Keiser; Klemin; Owens; Speaker Drovdal

SB 2243 passed.

SECOND READING OF SENATE BILL

SB 2326: A BILL for an Act to provide for a substance abuse services pilot voucher payment program; to provide a continuing appropriation; and to provide for a report to the legislative management.

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 76 YEAS, 12 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Devlin; Dosch; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Porter; Ruby; Rust; Sanford; Schatz; Schmidt; Steiner; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Winrich; Zaiser

NAYS: Brabandt; Delzer; Froseth; Headland; Heller; Louser; Pollert; Rohr; Skarphol; Streyle; Weiler; Wrangham

ABSENT AND NOT VOTING: Belter; Frantsvog; Keiser; Klemin; Owens; Speaker Drovdal

Engrossed SB 2326 passed.

SECOND READING OF SENATE BILL

SB 2354: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to an eating disorder training program; and to provide for a report to the legislative management regarding eating disorders.

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 31 YEAS, 57 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Conklin; Delmore; Dosch; Glassheim; Gruchalla; Guggisberg; Hanson; Heilman; Hogan; Holman; Hunskor; Kaldor; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kroeber; Meier, L.; Metcalf; Meyer, S.; Mock; Mueller; Nelson, M.; Onstad; Rust; Steiner; Williams; Winrich; Zaiser

NAYS: Anderson; Beadle; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Clark; Dahl; Damschen; DeKrey; Delzer; Devlin; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Kilichowski; Kingsbury; Klein; Koppelman; Kreidt; Kretschmar; Kreun; Louser; Maragos; Martinson; Monson; Nathe; Nelson, J.; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Skarphol; Streyle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Wrangham

ABSENT AND NOT VOTING: Belter; Frantsvog; Keiser; Klemin; Owens; Speaker Drovdal

Engrossed SB 2354 lost.

REQUEST

REP. DROVDAL REQUESTED that the record show that he intended to vote "AYE" on SB 2238, SB 2243, SB 2326, and SB 2354, which request was granted.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1260, HB 1467.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1142, HB 1045, HB 1005, HB 1162, HB 1393, HB 1421.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1142

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new chapter to title 53 of the North Dakota Century Code, relating to registered agritourism activity liability.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new chapter to title 53 of the North Dakota Century Code is created and enacted as follows:

Definitions.

In this chapter, unless the context otherwise requires:

1. "Agritourism activity" means any activity, including farming and ranching activities, or any historic, cultural, or natural attraction, that is viewed or enjoyed by members of the general public, for educational, recreational, or entertainment purposes, regardless of whether the member of the general public pays to participate in the activity or to view or enjoy the attraction.
2. "Inherent risk" means:
 - a. Any condition or danger that is an integral part of agritourism, including:
 - (1) Surface and subsurface conditions of the land;
 - (2) Surface and subsurface conditions of the water;
 - (3) Natural conditions of land, vegetation, and water;
 - (4) The behavior of wild or domestic animals; and
 - (5) Structures and equipment ordinarily used in farming or ranching; and
 - b. The potential of a participant to act in a negligent manner, including failing to follow instructions or failing to exercise reasonable caution while engaging in an agritourism activity.
3. "Participant" means a member of the general public who engages in a registered agritourism activity.
4. "Registered agritourism activity" means an agritourism activity that is registered with the division of tourism.
5. "Registered agritourism operator" means a person that is registered with the division of tourism and that is engaged in the provision of a registered agritourism activity.

Registration - Requirements.

1. A person may become a registered agritourism operator by registering with the division of tourism.

2. The registration must include a description of the agritourism activity that the person provides or intends to provide.
3. The division of tourism may not impose any fees or other charges to register agritourism operators.
4. A registration under this section is effective for five years.

Registered agritourism operators - Maintenance of list.

The division of tourism shall:

1. Maintain a list of all registered agritourism operators; and
2. Maintain a list of all registered agritourism activities.

Notice regarding liability - Requirements.

A registered agritourism operator shall post in a conspicuous location on the premises and include in each written contract pertaining to an individual's participation in agritourism a notice indicating that under the laws of this state, the registered agritourism operator is not liable for any injury to or for the death of a participant if the injury or death results from an inherent risk.

Participant in agritourism activity - Assumption of risk.

Except as otherwise provided, a participant assumes all inherent risks of agritourism. In any action for damages arising from an individual's participation in agritourism, a registered agritourism operator may plead assumption of risk by the participant as an affirmative defense.

Liability of registered agritourism operator.

This chapter does not prevent or limit the liability of a registered agritourism operator if the operator:

1. Injures a participant willfully or through conduct that amounts to gross negligence; or
2.
 - a. Has actual knowledge of or should have known of:
 - (1) A dangerous condition on property, including in a facility, at which a registered agritourism activity occurs;
 - (2) A dangerous condition with respect to equipment used in the registered agritourism activity; or
 - (3) The dangerous propensity of a particular animal used in the registered agritourism activity;
 - b. Does not exercise ordinary care to remedy the danger or to warn a participant of the danger; and
 - c. The danger causes injury to the participant or contributes to the injury of the participant.

Division of tourism - Copy of law - Provision to registered agritourism operator.

The division of tourism shall provide a copy of the applicable law to each person that registers or reregisters as an agritourism operator."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1045

Page 2, line 23, remove "employee of this state or of a political"

Page 2, line 24, replace "subdivision of this state" with "individual"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1005

Page 1, replace lines 12 and 13 with:

"Operating expenses	<u>126,505</u>	<u>120,000</u>	<u>246,505</u>
Total general fund	\$682,585	\$165,293	\$847,878"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1005 - Indian Affairs Commission - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$601,373	\$601,373		\$601,373
Operating expenses	<u>246,505</u>	<u>196,505</u>	50,000	<u>246,505</u>
Total all funds	\$847,878	\$797,878	\$50,000	\$847,878
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$847,878	\$797,878	\$50,000	\$847,878
FTE	4.00	4.00	0.00	4.00

Department No. 316 - Indian Affairs Commission - Detail of Senate Changes

	Adds Funding for Suicide Prevention Program ¹	Total Senate Changes
Salaries and wages		
Operating expenses	<u>50,000</u>	<u>50,000</u>
Total all funds	\$50,000	\$50,000
Less estimated income	<u>0</u>	<u>0</u>
General fund	\$50,000	\$50,000
FTE	0.00	0.00

¹ The amendment increases funding for a suicide prevention program directed at Native American tribes by \$50,000 from the general fund, to provide a total of \$100,000 for the program. This restores the funding removed by the House and provides the level included in the executive budget.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1162

Page 3, line 14, remove "amend or"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1393

Page 1, line 8, remove "A"

Page 1, remove line 9

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1421

Page 2, after line 10, insert:

- "e. A cashier's check not to exceed ten thousand dollars in the aggregate that is drawn on an existing account at a bank, savings and loan association, credit union, or savings bank chartered under the laws of a state or the United States.
- f. A check drawn on the escrow account of another closing agent, if the closing agent in the real estate transaction has reasonable and prudent grounds to believe that sufficient funds will be available for withdrawal from the account upon which the check is drawn at the time of disbursement of funds from the escrow account of the closing agent in the real estate transaction."

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1241.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1241

Page 1, line 4, remove the first "and"

Page 1, line 4, after "sections" insert "38-11.1-02,"

Page 1, line 4, after "38-11.1-04" insert ", 38-11.1-08,"

Page 1, line 6, after "production" insert ", agreement with offer of settlement,"

Page 1, line 6, after "royalties" insert "; to repeal section 38-11.1-05 of the North Dakota Century Code, relating to notice of oil and gas drilling operations; and to provide an effective date"

Page 1, after line 7, insert:

"SECTION 1. AMENDMENT. Section 38-11.1-02 of the North Dakota Century Code is amended and reenacted as follows:

38-11.1-02. Purpose and interpretation.

It is the purpose of this chapter to provide the maximum amount of constitutionally permissible protection to surface owners and other persons from the undesirable effects of development of minerals. This chapter is to be interpreted in light of the legislative intent expressed herein. Sections 38-11.1-04 and ~~38-11.1-05~~ 38-11.1-04.1 must be interpreted to benefit surface owners, regardless of whether the mineral estate was separated from the surface estate and regardless of who executed the document which gave the mineral developer the right to conduct drilling operations on the land. Sections 38-11.1-06 through 38-11.1-10 must be interpreted to benefit all persons."

Page 3, after line 9, insert:

"SECTION 4. AMENDMENT. Section 38-11.1-08 of the North Dakota Century Code is amended and reenacted as follows:

38-11.1-08. Agreement - Offer of settlement.

Unless both parties provide otherwise by written agreement, at the time the notice required by ~~section 38-11.1-05~~ subsection 2 of section 38-11.1-04.1 is given,

the mineral developer shall make a written offer of settlement to the person seeking compensation for damages when the notice required by ~~section 38-11.1-05~~ subsection 2 of section 38-11.1-04.1 is given. The person seeking compensation may accept or reject any offer so made."

Page 4, line 8, overstrike "from initial" and insert immediately thereafter "after"

Page 4, line 8, after "production" insert "is marketed"

Page 4, line 9, after "operator" insert "thereafter"

Page 4, after line 24, insert:

"SECTION 7. REPEAL. Section 38-11.1-05 of the North Dakota Century Code is repealed.

SECTION 8. EFFECTIVE DATE. Sections 2 and 5 of this Act become effective for drilling operations commenced after July 31, 2011."

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 1413.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1413

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

Page 2, after line 7, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1307.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1132, HB 1133, HB 1182, HB 1335, HB 1428, HB 1459, HCR 3019, HCR 3021, HCR 3026, HCR 3040.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2134, SB 2175, SB 2366, SCR 4008, SCR 4018, SCR 4019, SCR 4022.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: HB 1009, HB 1017, HB 1022, HB 1023, HB 1024, HB 1075, HB 1097, HB 1100, HB 1145, HB 1161, HB 1176, HB 1185, HB 1196, HB 1197, HB 1205, HB 1216, HB 1221, HB 1343, HB 1346, HB 1376, HB 1415, HB 1430, HCR 3007, HCR 3008, HCR 3020.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2134, SB 2175, SB 2366, SCR 4008, SCR 4018, SCR 4019, SCR 4022.

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 12:30 p.m., Friday, March 25, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2024, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2024 was placed on the Sixth order on the calendar.

Page 1, line 1, after "12-44.1" insert "and two new sections to chapter 50-24.1"

Page 1, line 2, after "costs" insert ", inmate medical claims processing, and to provide medicaid coverage to inmates in certain situations"

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

Page 1, line 4, after "inmates" insert "; to provide an appropriation; and to provide an effective date"

Page 3, after line 30, insert:

"SECTION 5. Two new sections to chapter 50-24.1 of the North Dakota Century Code are created and enacted as follows:

Processing of claims submitted on behalf of inmates.

The department of human services shall process claims submitted by enrolled medical providers on behalf of inmates at county jails. Each county shall pay the department a processing fee for each claim submission. The department shall establish the processing fee and shall update the fee annually on July first. The processing fee must be based on the annual costs to the department of the claims processing operations divided by the annual volume of claims submitted. The department shall invoice each county for payment of the processing fee. Beginning July 1, 2011, the department of human services shall increase the claims processing fee to recover the cost of the medicaid claims system changes. The department shall deposit the portion of the fee associated with recovering the costs of the medicaid claims system changes in the general fund.

Department to expand medicaid coverage.

After implementation of the medicaid management information system, the department of human services shall expand medicaid coverage to include medicaid-covered services provided to an inmate of the state penitentiary or a county jail who would be eligible for medicaid if the inmate were not incarcerated and who is admitted to an inpatient hospital setting.

SECTION 6. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$149,094, or so much of the sum as may be necessary, to the department of human services for the purpose of modifying the department's medicaid claims system to process claims submitted by enrolled medicaid providers on behalf of inmates of county jails under section 5 of this Act, for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 7. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$36,162, or so much of the sum as may be necessary, and from special funds derived from federal funds and other income, the sum of \$36,162, to the department of human services for the purpose of modifying the department's eligibility systems to process inpatient hospital claims for inmates of the state penitentiary and county jails under section 5 of this Act, for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 8. EFFECTIVE DATE. Section 5 of this Act becomes effective upon the completion of the necessary changes to the department of human services' medicaid claims processing and eligibility systems."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2028, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2028 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2049, as reengrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2049 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2098: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2098 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "and"

Page 1, line 3, replace "43-11-05" with "43-11-03, 43-11-04"

Page 1, line 4, remove "43-11-17, 43-11-19,"

Page 1, line 4, remove "43-11-27,"

Page 1, line 6, after "powers" insert ", membership,"

Page 1, line 7, remove "; to repeal section 43-11-28 of the North Dakota"

Page 1, line 8, remove "Century Code, relating to fees; and to provide an effective date"

Page 3, replace lines 21 through 29 with:

"SECTION 3. AMENDMENT. Section 43-11-03 of the North Dakota Century Code is amended and reenacted as follows:

43-11-03. State board of cosmetology - Appointment - Term - Removal.

The state board of cosmetology consists of ~~three~~five members appointed by the governor for three years each, with their terms of office so arranged that ~~one term expires~~no more than two terms expire on June thirtieth of each year. Each member shall qualify by taking the oath required of civil officers and shall hold office until a successor is appointed and qualified. The governor may remove from office a member for misconduct, malfeasance, neglect of duty in office, crime in office, gross incompetency, or habitual drunkenness. A vacancy on the board must be filled by appointment by the governor for the unexpired term.

SECTION 4. AMENDMENT. Section 43-11-04 of the North Dakota Century Code is amended and reenacted as follows:

43-11-04. Members of board - Qualifications.

Each member of the board must be a citizen of this state ~~and. Three of the members of the board must each be~~ a licensed cosmetologist who has had at least three years' practical experience in the occupation. The other two members of the board must be citizen members.

Page 4, line 2, overstrike "of one hundred dollars" and insert immediately thereafter "in the amount provided for members of the legislative management under section 54-35-10"

Page 4, remove lines 20 through 31

Page 5, remove lines 1 through 8

Page 5, line 17, remove the overstrike over "~~pursuant to section 43-11-28~~"

Page 5, line 17, remove "by rule"

Page 5, line 20, remove the overstrike over "~~section 43-11-28~~"

Page 5, line 20, remove "rule"

Page 6, line 1, remove the overstrike over "~~as set forth in section 43-11-28~~"

Page 6, line 23, remove the overstrike over "~~as set forth in section 43-11-28~~"

Page 6, remove lines 26 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 6

Page 8, remove lines 25 through 27

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2110: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2110 was placed on the Sixth order on the calendar.

Page 2, line 23, overstrike "the bid" and insert immediately thereafter "one or more bids"

Page 2, line 24, overstrike "carrier" and insert immediately thereafter "carriers"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2155, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2155 was placed on the Sixth order on the calendar.

Page 1, remove lines 14 through 16

Page 1, line 17, replace "3." with "2."

Page 1, line 18, replace "4." with "3."

Page 1, line 20, replace "5." with "4."

Page 2, line 1, replace "6." with "5."

Page 2, line 5, replace "7." with "6."

Page 2, line 7, replace "8." with "7."

Page 2, remove lines 12 and 13

Page 2, line 14, replace "(2)" with "(1)"

Page 2, line 14, replace "implement" with "supervise"

Page 2, line 16, replace "(3)" with "(2)"

Page 2, line 16, replace "implement" with "supervise"

Page 2, line 18, replace "(4)" with "(3)"

Page 2, line 24, replace "9." with "8."

Page 3, line 10, replace "10." with "9."

Page 3, line 12, replace "11." with "10."

Page 3, line 15, replace "12." with "11."

Page 3, line 16, after "analyst" insert "and is supervised by a licensed psychologist or applied behavior analyst"

Page 3, line 18, replace "13." with "12."

Page 5, line 7, remove the overstrike over "~~one hundred fifty~~"

Page 5, line 8, remove the overstrike over "~~dollars~~"

Page 5, line 8, remove "the costs incurred by the board in issuing the license or registration"

Page 6, line 29, remove ", registrant"

Page 8, after line 13, insert:

"11. An individual licensed as an occupational therapist or an occupational therapy assistant pursuant to chapter 43-40 within the body of knowledge and scope of professional practice of occupational therapy."

Page 9, remove lines 11 through 23

Page 9, line 24, replace "4." with "3."

Page 9, line 28, replace "5." with "4."

Page 10, line 1, replace "6." with "5."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2195: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). SB 2195 was placed on the Sixth order on the calendar.

Page 1, replace lines 6 and 7 with "In an action for a violation of this section, the court may award statutory damages of one thousand dollars. The court also may award actual damages, reasonable attorney's fees, costs, and disbursements."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2211: Government and Veterans Affairs Committee (Rep. Grande, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2211 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2218, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2218 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new subsection to section 40-63-07 of the North Dakota Century Code, relating to restrictions on renaissance fund organization investments in enterprises owned by renaissance fund organization officers, employees, and investors;"

Page 1, line 1, replace "subsection" with "subsections 2 and"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Subsection 2 of section 40-63-07 of the North Dakota Century Code is amended and reenacted as follows:

2. The purpose of a renaissance fund organization is solely to raise funds to be used to ~~make investments in~~ finance zone projects and to make investments in other projects located in designated renaissance zone- ~~cities~~ zones. A renaissance fund organization may provide financing to projects undertaken by individuals, partnerships, limited partnerships, limited liability companies, trusts, corporations, nonprofit organizations, and public entities. The financing may include any combination of equity investments, loans, guarantees, and commitments for financing. The amount of financing is not limited by this chapter."

Page 1, line 10, overstrike "these additional" and insert immediately thereafter "the"

Page 1, line 10, overstrike "may not" and insert immediately thereafter "shall"

Page 1, line 11, overstrike "more than fifty percent of such" and insert immediately thereafter "those"

Page 1, line 11, overstrike "for organization investments outside of" and insert immediately thereafter "to finance projects within"

Page 1, after line 12, insert:

"SECTION 3. A new subsection to section 40-63-07 of the North Dakota Century Code is created and enacted as follows:

Renaissance fund organization officers, employees, and investors may be actively involved in the enterprises in which the renaissance fund organization invests but the renaissance fund organization may not invest in any enterprise if any one renaissance fund organization investor owns more than forty-nine percent of the ownership interest in the enterprise. A renaissance fund organization may not invest in an enterprise if renaissance fund organization officers, employees, and investors collectively own more than forty-nine percent of the ownership interests, either through direct ownership or through ownership of interest in a passthrough entity."

Page 1, line 13, replace "This" with "The changes in sections 1 and 2 of this"

Page 1, line 13, replace "is" with "requiring a renaissance fund organization to limit its financing to projects located in a renaissance zone are"

Page 1, line 13, replace "taxable years beginning" with "new financing initiated"

Page 1, line 14, replace "December 31, 2010" with "June 30, 2011"

Page 1, line 14, after the period insert "Section 3 of this Act is effective for investments made in a renaissance fund organization after December 31, 2011."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2248, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2248 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code,

relating to angel fund investment disclosure; to amend and reenact section 57-38-01.26 of the North Dakota Century Code, relating to the angel fund investment tax credit; to provide an effective date; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 57-38-01.26 of the North Dakota Century Code is amended and reenacted as follows:

57-38-01.26. Angel fund investment tax credit.

1. A taxpayer is entitled to a credit against state income tax liability under section 57-38-30 or 57-38-30.3 for an investment made in an angel fund that is incorporated in this state. The amount of the credit to which a taxpayer is entitled is forty-five percent of the amount invested by the taxpayer in an angel fund during the taxable year. The aggregate annual credit for which a taxpayer may obtain a tax credit is not more than forty-five thousand dollars.
2. To be eligible for the credit, the investment must be at risk in the angel fund for at least three years. Investments placed in escrow do not qualify for the credit. The credit must be claimed in the taxable year in which the investment in the angel fund was received by the angel fund. The credit allowed may not exceed the liability for tax under this chapter. If the amount of credit determined under this section exceeds the liability for tax under this chapter, the excess may be carried forward to each of the four succeeding taxable years. A taxpayer claiming a credit under this section may not claim any credit available to the taxpayer as a result of an investment made by the angel fund in a qualified business under chapter 57-38.5 or 57-38.6.
3. An angel fund must:
 - a. Be a partnership, limited partnership, corporation, limited liability company, limited liability partnership, trust, or estate organized on a for-profit basis which is headquartered in this state.
 - b. Be organized for the purpose of investing in a portfolio of at least three early-stage and mid-stage private, nonpublicly traded enterprises with strong growth potential. For purposes of this section, an early-stage entity means an entity with annual revenues of up to two million dollars and a mid-stage entity means an entity with annual revenues over two million dollars not to exceed ten million dollars.
 - c. Consist of at least six accredited investors as defined by securities and exchange commission regulation D, rule 501.
 - d. Not have more than twenty-five percent of its capitalized investment assets owned by an individual investor.
 - e. Have at least five hundred thousand dollars in commitments from accredited investors and that capital must be subject to call to be invested over an unspecified number of years to build a portfolio of investments in enterprises.
 - f. Be member-managed or a manager-managed limited liability company and the investor members or a designated board that includes investor members must make decisions as a group on which enterprises are worthy of investments.
 - g. Be certified as an angel fund that meets the requirements of this section by the department of commerce.
 - h. Be in compliance with the securities laws of this state.

4. Within thirty days after the date on which an investment in an angel fund is made, the angel fund shall file with the tax commissioner and provide to the investor completed forms prescribed by the tax commissioner which show as to each investment in the angel fund the following:
 - a. The name, address, and social security number or federal employer identification number of the taxpayer or passthrough entity that made the investment;
 - b. The dollar amount paid for the investment by the taxpayer or passthrough entity; and
 - c. The date on which full consideration was received by the angel fund for the investment.
5. Angel fund investors may be actively involved in the enterprises in which the angel fund invests but the angel fund may not invest in any enterprise if any one angel fund investor owns directly or indirectly more than forty-nine percent of the ownership interests in the enterprise. The angel fund may not invest in an enterprise if angel fund officers, employees, and investors collectively own more than forty-nine percent of the ownership interests in the enterprise, either through direct ownership or through ownership of interests in a passthrough entity.
- 5-6. Investors in one angel fund may not receive more than five million dollars in aggregate credits under this section during the life of the angel fund but this provision may not be interpreted to limit additional investments in that angel fund.
7. A partnership, subchapter S corporation, limited partnership, limited liability company, or any other passthrough entity entitled to the credit under this section must be considered to be the taxpayer for purposes of this section, and the amount of the credit allowed must be determined at the passthrough entity level.

SECTION 2. A new subsection to section 57-38-57 of the North Dakota Century Code is created and enacted as follows:

The tax commissioner, upon written request, may disclose a taxpayer's name and address, the amount of tax credits the taxpayer claimed under section 57-38-01.26, and the name and address of the angel fund with which the taxpayer invested.

SECTION 3. EFFECTIVE DATE - EXPIRATION DATE. Section 1 of this Act is effective for the first four taxable years beginning after December 31, 2010, and is thereafter ineffective. Section 2 of this Act is effective for angel fund investments made after June 30, 2011."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2258, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2258 was placed on the Sixth order on the calendar.

Page 1, line 12, replace the first "an" with "more than four"

Page 1, line 12, replace "order" with "orders"

Page 1, line 13, after the underscored period insert "An income payer that employs more than twenty-four employees at any time and has received fewer than five income withholding orders under this chapter may choose to opt out of an electronic method approved by the child support agency only through a written request."

Page 3, line 26, remove the overstrike over "may"

Page 3, line 26, remove "shall"

Page 3, line 27, after "designee" insert ". but a government self-insurance pool shall exchange personal information about the claimant with the department"

Page 5, line 15, replace "electronic" with "internet-based"

Page 5, line 15, replace "approved" with "provided"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2268, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2268 was placed on the Sixth order on the calendar.

Page 1, line 1, after "of" insert "early intervention and"

Page 1, line 5, after "OF" insert "**EARLY INTERVENTION AND**"

Page 1, line 9, after "of" insert "early intervention and"

Page 1, line 19, after the second "of" insert "early intervention and"

Page 2, line 3, after "of" insert "early intervention and"

Page 2, line 6, after "of" insert "early intervention and"

Page 2, line 8, after the comma insert "early intervention and"

Page 2, line 22, after "of" insert "early intervention and"

Page 2, line 27, after the first comma insert "early"

Page 2, line 28, after "disorder" insert ", shall study a sliding fee scale for payment of services,"

Page 3, line 8, after "of" insert "early intervention and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2295: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2295 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the first "section" with "sections 53-08-01 and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 53-08-01 of the North Dakota Century Code is amended and reenacted as follows:

53-08-01. Definitions.

In this chapter, unless the context or subject matter otherwise requires:

1. "Charge" means the amount of money asked in return for an invitation to enter or go upon the land. "Charge" does not include vehicle, parking, shelter, or other similar fees required by any public entity.

2. "Commercial purpose" means a deliberative decision of an owner to invite or permit the use of the owner's property for normal business transactions, including the buying and selling of goods and services. The term includes any decision of an owner to invite members of the public onto the premises for recreational purposes as a means of encouraging business transactions or directly improving the owner's commercial activities other than through good will. "Commercial purpose" does not include the operation of public lands by a public entity except any direct activity for which there is a charge for goods or services.
3. "Land" includes all public and private land, roads, water, watercourses, and ways and buildings, structures, and machinery or equipment thereon.
- ~~3-4.~~ "Owner" includes tenant, lessee, occupant, or person in control of the premises.
- ~~4-5.~~ "Recreational purposes" includes any activity engaged in for the purpose of exercise, relaxation, pleasure, or education."

Page 1, line 6, overstrike "**landowner**" and insert immediately thereafter "**owner**"

Page 1, after line 6, insert:

"1."

Page 1, line 8, replace "irrespective" with "regardless"

Page 1, line 10, replace "related to" with "is directly derived from"

Page 1, line 10, replace "parties" with "persons"

Page 1, after line 12, insert:

- "2. This section does not apply to:
- a. A person that enters land to provide goods or services at the request of an owner; or
 - b. An owner engaged in a for-profit business venture that directly or indirectly invites members of the public onto the premises for commercial purposes or during normal periods of commercial activity in which members of the public are invited."

Page 1, line 16, replace "arises out of" with "is directly derived from"

Page 1, line 16, after "those" insert "recreational"

Page 1, line 17, after "owed" insert "other than a person that enters land to provide goods or services at the request of the owner"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2336, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2336 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "two" with "five"

Page 1, line 12, replace "liability exempted" with "paid"

Page 1, line 16, remove "To qualify for the exemption at the time of purchase, the mine operator must receive"

Page 1, remove lines 17 through 20

Page 1, line 21, replace "tax under this chapter, the" with "The"

Page 1, line 21, replace "must" with "shall"

Page 1, line 21, remove the second "tax"

Page 1, line 23, after the underscored period insert "A refund claim may not exceed the limitation in subsection 1. Application for the refund must be made at the time and in the manner directed by the commissioner and must include sufficient information to verify the correctness of the refund claim."

Page 1, line 24, replace "5." with "4."

Page 2, line 8, remove "permitted under chapter 38-14.1 by the public service"

Page 2, line 9, replace "commission after December 31, 2010" with "that was not producing coal as of December 31, 2010, and for which an application for a mine permit under chapter 38-14.1 was submitted to the public service commission before July 1, 2011. New mine does not include an expansion of an existing mine that requires a separate permit from the public service commission under chapter 38-14.1"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2355, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2355 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2356, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2356 was placed on the Sixth order on the calendar.

Page 1, line 2, after "promotion" insert "; and to provide for a legislative management study"

Page 1, after line 19, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SPECIAL ASSESSMENTS. During the 2011-12 interim, the legislative management shall study use of special assessments for public improvements, use and administration of special assessments across the state, and alternative funding mechanisms available and possible processes and procedures that would facilitate a transition to any recommended alternative funding mechanisms. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4010: Government and Veterans Affairs Committee (Rep. Grande, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4010 was placed on the Tenth order on the calendar.

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

Buell J. Reich, Chief Clerk

