

JOURNAL OF THE HOUSE**Sixty-second Legislative Assembly**

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Bismarck, March 2, 2011

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

The prayer was offered by Pastor Keith Ritchie, Cornerstone Community Church, Bismarck.

The roll was called and all members were present except Representatives Drovdal, S. Kelsh, Louser, Mueller, and Paur.

A quorum was declared by the Acting Speaker.

POINT OF PERSONAL PRIVILEGE

REP. CARLSON rose on a point of personal privilege.

PRESENTATION OF PROCLAMATION BY MAJORITY LEADER CARLSON**NDEA's Read Across America Day**

WHEREAS, North Dakota citizens are committed to promoting reading as the catalyst for our students' future academic success, their preparation for the jobs of the future and their ability to compete in the global economy; and

WHEREAS, the NDEA is sponsoring Read Across America Day to celebrate the birthday of Dr. Seuss and promote reading and adult involvement in the education of our youth; and

WHEREAS, research shows that children who read are ready to do better in school and develop a lifelong passion for the joys of reading; and

WHEREAS, the NDEA is working with other literacy, youth and civic groups throughout the state to get parents, teachers and communities involved in promoting the excitement and importance of reading on this day and every day; and

WHEREAS, North Dakotans are encouraged to ensure that every child is in a safe place reading together with a caring adult on this day and make sure we remain committed to the programs and activities that make our children proficient readers.

NOW, THEREFORE, the North Dakota House of Representatives does hereby proclaim March 2, 2011, NDEA READ ACROSS AMERICA DAY.

POINT OF PERSONAL PRIVILEGE

REP. GRANDE rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE GRANDE

MR. SPEAKER: The First World War was a major war centered on Europe that began in the summer of 1914. The fighting ended in November 1918. More than 4,700,000 Americans served in the military during World War I. About 53,000 died of combat-related causes, while another 63,000 deaths were listed as non-combat.

Over crossover we lost a living link to an important era in our nation's history. Frank Woodruff Buckles died on February 27, 2011, at the age of 110. Frank Buckles lied about his age to enlist in the Army in 1917, was imprisoned in a Japanese prisoner of war camp for 3 1/2 years during World War II and was the last known U.S. veteran of World War I. Burial with full military honors will be held at Arlington National Cemetery.

So they are all gone now, including the thousands of doughboys who came home to North Dakota after what was called the Great War, the war to make the world safer for democracy, the war to end all wars.

God Bless our Veterans - Past, Present and Future.

MOTION

REP. VIGESAA MOVED that the remarks of Reps. Carlson and Grande be printed in the Journal, which motion prevailed.

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, March 3, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2074: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (9 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2074 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2084: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2084 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2087: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2087 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2094, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2094 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2095: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2095 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2103: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2103 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2154: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2154 was placed on the Fourteenth order on the calendar.

FIRST READING OF SENATE BILLS

SB 2009: A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; to amend and reenact sections 4-01-21 and 4-01-23, subsection 2 of section 5-01-17, subsection 2 of section 5-01-19, and sections 19-20.1-03, 19-20.1-03.1, and 19-20.1-06 of the North Dakota Century Code, relating to the salary of the agriculture commissioner, the promotion of sustainably grown commodities, domestic wineries and domestic distilleries, and fertilizer distribution registration, licensing, and inspection fees; and to declare an emergency.
Was read the first time and referred to the **Appropriations Committee**.

SB 2012: A BILL for an Act to provide an appropriation for defraying the expenses of the department of human services; to provide an exemption; to provide legislative intent; and to amend and reenact section 50-29-04 of the North Dakota Century Code, relating to eligibility for the children's health insurance program.
Was read the first time and referred to the **Appropriations Committee**.

SB 2014: A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy.
Was read the first time and referred to the **Appropriations Committee**.

SB 2015: A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management

and budget; to provide an exemption; to provide for various transfers; and to provide legislative intent.

Was read the first time and referred to the **Appropriations Committee**.

SB 2016: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide appropriations; to provide for transfers; to provide exemptions; to amend and reenact section 37-17.3-08 of the North Dakota Century Code, relating to state radio fees; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

SB 2017: A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department; to provide legislative intent; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

SB 2018: A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society.

Was read the first time and referred to the **Appropriations Committee**.

SB 2020: A BILL for an Act to provide an appropriation for defraying the expenses of the state water commission; to amend and reenact section 7 of chapter 20 of the 2009 Session Laws, relating to Fargo flood control project funding; to provide exemptions; to repeal section 5 of chapter 535 of the 1999 Session Laws, relating to pledge of revenues from the Grand Forks corporate center; to provide legislative intent; to provide for retroactive application; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

SB 2042: A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-01 and sections 53-06.1-11, 53-06.1-12, and 53-06.1-12.3 of the North Dakota Century Code, relating to consolidation of gaming taxes and allowable expenses.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2043: A BILL for an Act to provide for a developmental disabilities system reimbursement project.

Was read the first time and referred to the **Human Services Committee**.

SB 2047: A BILL for an Act to amend and reenact section 21-06-10 of the North Dakota Century Code, relating to allocation of revenues from the leasing of federal flood control lands; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2048: A BILL for an Act to create and enact a new subsection to section 40-63-03 of the North Dakota Century Code, relating to informational reporting by cities and the department of commerce on the status of property included in both a tax increment financing district and a renaissance zone.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2055: A BILL for an Act to create and enact two new sections to chapter 57-38 and two new subdivisions to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax credits for purchases of manufacturing machinery and equipment for the purpose of automating manufacturing processes and for qualified expenditures for lean manufacturing; to provide an effective date; and to provide an expiration date.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2056: A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to an electronic portfolio pilot program; to amend and reenact subsection 3 of section 52-02.1-01 and sections 52-08-10 and 54-60-17 of the North Dakota Century Code, relating to the new jobs training program, workforce training program, and operation intern program; and to declare an emergency.

Was read the first time and referred to the **Education Committee**.

SB 2057: A BILL for an Act to create and enact a new chapter to title 54 and a new section to chapter 54-60 of the North Dakota Century Code, relating to a centers of research excellence program and centers of entrepreneurship excellence grants; to amend

and reenact section 54-60-22 of the North Dakota Century Code, relating to centers of workforce excellence grants; to provide for transfers; to provide a continuing appropriation; and to provide an appropriation.

Was read the first time and referred to the **Appropriations Committee**.

SB 2108: A BILL for an Act to amend and reenact sections 39-03.1-09, 39-03.1-10, 54-52-02.9, 54-52-05, 54-52-06, 54-52-06.1, 54-52-06.3, and 54-52-06.4, subsection 6 of 54-52.6-02, and section 54-52.6-09 of the North Dakota Century Code, relating to increased employer and employee contributions under the highway patrolmen's retirement plan and public employees retirement system.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

SB 2132: A BILL for an Act to create and enact a new section to chapter 57-62 of the North Dakota Century Code, relating to designation of a portion of the oil and gas impact grant fund for grants to cities of fewer than seven thousand five hundred population or counties of fewer than ten thousand population.

Was read the first time and referred to the **Appropriations Committee**.

SB 2134: A BILL for an Act to amend and reenact sections 4.1-08-02, 4.1-08-06, and 4.1-08-07 of the North Dakota Century Code, relating to the assessment on colonies of honeybees; and to provide an expiration date.

Was read the first time and referred to the **Agriculture Committee**.

SB 2155: A BILL for an Act to create and enact two new sections to chapter 43-32 of the North Dakota Century Code, relating to regulation of applied behavior analysts; and to amend and reenact sections 43-32-01, 43-32-08, 43-32-08.1, 43-32-08.2, 43-32-09, 43-32-12, 43-32-13, and 43-32-14, subsection 1 of section 43-32-16, and sections 43-32-19.1 and 43-32-30 of the North Dakota Century Code, relating to the regulation of applied behavior analysis by the state board of psychologist examiners.

Was read the first time and referred to the **Human Services Committee**.

SB 2163: A BILL for an Act to provide an appropriation to the department of human services for traumatic brain injury services.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2178: A BILL for an Act to amend and reenact subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to a reduction in income tax rates for individuals, estates, and trusts; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2210: A BILL for an Act to create and enact two new sections to chapter 54-17, a new subdivision to subsection 2 of section 54-60.1-01, and a new subsection to section 57-35.3-05 of the North Dakota Century Code, relating to a housing incentive fund and a financial institutions tax credit for investments in the fund; and to provide a continuing appropriation.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2271: A BILL for an Act to create and enact a new subsection to section 43-17-02 and chapter 43-57 of the North Dakota Century Code, relating to regulation of naturopaths; to amend and reenact section 43-17-41 of the North Dakota Century Code, relating to duties of naturopaths; to provide a penalty; and to provide for application.

Was read the first time and referred to the **Human Services Committee**.

SB 2278: A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the disclosure of student names and addresses.

Was read the first time and referred to the **Education Committee**.

SB 2301: A BILL for an Act to amend and reenact section 58-02-28 of the North Dakota Century Code, relating to disposition of township funds upon dissolution; and to declare an emergency.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2302: A BILL for an Act to amend and reenact sections 21-10-01, 21-10-04, and 21-10-06 of the North Dakota Century Code, relating to the membership of the state

investment board and management of the legacy fund.
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

SB 2320: A BILL for an Act to provide for a legislative management study.
Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2323: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to variance reports for certain construction projects at institutions of higher education.
Was read the first time and referred to the **Education Committee**.

SB 2325: A BILL for an Act to provide an appropriation to the department of transportation for a county and township road reconstruction program; and to provide an exemption.
Was read the first time and referred to the **Appropriations Committee**.

SB 2344: A BILL for an Act to amend and reenact section 21-10-01 of the North Dakota Century Code, relating to the composition of the state investment board.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2345: A BILL for an Act to provide for the department of commerce to conduct a sugar-based feedstock biofuel demonstration plant feasibility study; and to provide an appropriation.
Was read the first time and referred to the **Agriculture Committee**.

SB 2355: A BILL for an Act to provide for a legislative management study of reduction of the flaring of natural gas.
Was read the first time and referred to the **Energy and Natural Resources Committee**.

SB 2362: A BILL for an Act to amend and reenact section 47-05-02.1 of the North Dakota Century Code, relating to requirements for easements, servitudes, and nonappurtenant restrictions.
Was read the first time and referred to the **Energy and Natural Resources Committee**.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4018: A concurrent resolution urging the Secretary of the United States Department of Agriculture to rely on sound scientific research to support regulatory decisionmaking with respect to the deregulation of alfalfa and all other similar circumstances.
Was read the first time and referred to the **Agriculture Committee**.

SCR 4021: A concurrent resolution directing the Legislative Management to study the feasibility and desirability of developing a strategic partnership between the State Tourism Division and corresponding tourism departments or alliances of tourism departments of the Indian tribes within North Dakota promoting tourism in North Dakota.
Was read the first time and referred to the **Political Subdivisions Committee**.

SCR 4024: A concurrent resolution directing the Legislative Management to study issues relating to sodium intake and legislative measures aimed at decreasing heart disease and stroke.
Was read the first time and referred to the **Human Services Committee**.

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

Buell J. Reich, Chief Clerk

