

JOURNAL OF THE HOUSE

Sixty-third Legislative Assembly

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Bismarck, January 15, 2013

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

The prayer was offered by Pastor Marc Eidahl, New Life Church, Bismarck.

The roll was called and all members were present.

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 First, Fourth, and Fifth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 45, line 14, replace "**Human Services Committee**" with "**Government and Veterans Affairs Committee**."

Page 81, line 16, insert "."

Page 93, delete lines 21 and 22

Page 95, after line 46, insert "**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK) MR. PRESIDENT:** The House has passed, unchanged: SCR 4004".

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

SIXTH ORDER OF BUSINESS

SPEAKER DEVLIN DEEMED approval of the amendments to HB 1024 and HB 1054.

HB 1024 and HB 1054, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1034: A BILL for an Act to provide for a legislative management study of health care reform.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Brandenburg

HB 1034 passed.

SECOND READING OF HOUSE BILL

HB 1053: A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to transparency of medical providers' professional relationships with workforce safety and insurance.

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 8 YEAS, 86 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Guggisberg; Haak; Hanson; Hogan; Kelsh, J.; Kelsh, S.; Zaiser

NAYS: Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; 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; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

HB 1053 failed.

SECOND READING OF HOUSE BILL

HB 1077: A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to direct sales by licensed wineries.

ROLL CALL

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

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

HB 1077 passed.

SECOND READING OF HOUSE BILL

HB 1080: A BILL for an Act to amend and reenact subsection 31 of section 65-01-02, sections 65-02-06.1, 65-02-09, and 65-05-05, subsection 2 of section 65-05-08, subsection 11 of section 65-05-12.2, subsection 3 of section 65-05.1-01, subdivision a of subsection 6 of section 65-05.1-01, subsection 7 of section 65-05.1-02, section 65-05.1-02.1, subsection 1 of section 65-05.1-03, subsections 3, 4, 5, and 6 of section 65-05.1-04, subsection 1 of section 65-05.1-06.1, subdivision f of subsection 2 of section 65-05.1-06.1, subsection 3 of section 65-05.1-06.1, and sections 65-05.1-06.2 and 65-05.1-07 of the North Dakota Century Code, relating to definition of wages and federal wages for national guard employees, biennial report requirements, out-of-state claim filing, discontinuation of benefits during

incarceration, permanent partial impairment law for amputations, vocational consultants, and claimants; and to provide for application.

ROLL CALL

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

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

HB 1080 passed.

SECOND READING OF HOUSE BILL

HB 1081: A BILL for an Act to amend and reenact subsection 5 of section 65-04-03.1 of the North Dakota Century Code, relating to the reporting requirements to the budget section of the legislative management on the single state entities account program with workforce safety and insurance.

ROLL CALL

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

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

HB 1081 passed.

SECOND READING OF HOUSE BILL

HB 1088: A BILL for an Act to amend and reenact subsection 12 of section 23-01-05 of the North Dakota Century Code, relating to state health officer written orders.

ROLL CALL

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

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

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

HB 1088 passed.

SECOND READING OF HOUSE BILL

HB 1095: A BILL for an Act to amend and reenact section 15.1-27-24 of the North Dakota Century Code, relating to the distribution of certain federal funds.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Damschen

HB 1095 passed.

SECOND READING OF HOUSE BILL

HB 1109: A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to transfer of visitation rights of servicemembers; and to amend and reenact section 14-09-00.1 of the North Dakota Century Code, relating to definitions.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Damschen

HB 1109 passed.

SECOND READING OF HOUSE BILL

HB 1066: A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to the Yellowstone trail.

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

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

NAYS: Bellew; Delzer; Grande; Zaiser

HB 1066 passed.

SECOND READING OF HOUSE BILL

HB 1078: A BILL for an Act to amend and reenact subsection 4 of section 6-09-15 of the North Dakota Century Code, relating to the investment of funds by the Bank of North Dakota.

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; 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; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

NAYS: Becker; Delzer; Grande; Laning; Toman

HB 1078 passed.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2069, SB 2070, SB 2071, SB 2072, SB 2084.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2096.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SCR 4004.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SCR 4004.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: SCR 4004.

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, January 16, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1043: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1043 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the first "section" with "sections 11-11-02 and"

Page 1, line 1, after the first comma insert "subsection 7 of section 12-60-26, section 15.1-20-04, subsection 2 of section 15.1-23-02,"

Page 1, line 2, after the first comma insert "subsection 1 of section 43-44-07, sections 43-44-08 and 43-44-09, subsection 4 of section 43-44-10, subsection 1 of section 43-44-15,"

Page 1, after line 6, insert:

"SECTION 1. AMENDMENT. Section 11-11-02 of the North Dakota Century Code is amended and reenacted as follows:

11-11-02. Commissioner must be resident of district - Exceptions.

Each county commissioner shall be chosen by the qualified electors of the district of which the commissioner is a resident, except as otherwise provided in section 11-07-03 or 11-07-06."

Page 2, after line 8, insert:

"SECTION 3. AMENDMENT. Subsection 7 of section 12-60-26 of the North Dakota Century Code is amended and reenacted as follows:

7. For purposes of this section:

- a. "Flag the records" means marking the division of vital records, school, day care, or home education records in such a manner that any personnel viewing that record will be automatically alerted that the child or individual has been reported as lost, missing, or runaway.
- b. "Home education" means a program of education supervised by a child's parent, ~~in the child's home,~~ in accordance with the requirements of chapter 15.1-23.
- c. "Proof of identity" means a certified copy of a birth certificate, a certified transcript, or similar student records from the previous school, or any other documentary evidence the school, licensed day care facility, or school superintendent considers appropriate proof of identity.
- d. "School" or "licensed day care facility" means all elementary and secondary schools, licensed day care centers, licensed child care

facilities, headstart programs, and nursery schools whether public or nonpublic.

SECTION 4. AMENDMENT. Section 15.1-20-04 of the North Dakota Century Code is amended and reenacted as follows:

15.1-20-04. Home education - Definition.

For purposes of this chapter, "home education" means ~~an educational program for a child provided a program of education supervised by a child's parent in accordance with chapter 15.1-23 by the child's parent in the child's home.~~

SECTION 5. AMENDMENT. Subsection 2 of section 15.1-23-02 of the North Dakota Century Code is amended and reenacted as follows:

2. The statement must be accompanied by a copy of the child's immunization record and proof of the child's identity as required by section ~~54-23-2-04-212-60-26.~~"

Page 3, after line 6, insert:

"SECTION 8. AMENDMENT. Subsection 1 of section 43-44-07 of the North Dakota Century Code is amended and reenacted as follows:

1. An applicant for licensure as a licensed nutritionist must file a written application with the board and:
 - a. Have satisfactorily completed academic requirements required by the board, and have received a baccalaureate degree in the field of dietetics or food and nutrition, as approved by the board, from an accredited college or university;
 - b. Have received a master's or doctorate degree in human nutrition, nutrition education, foods and nutrition, or public health nutrition from an accredited college or university, or have received a master's or doctorate degree in a related field that meets eligibility requirements of the commission on dietetic registration of the ~~American dietetic association~~academy of nutrition and dietetics or its predecessor or successor organization;
 - c. Maintain membership in one of the following organizations: American institute of nutrition, American society for clinical nutrition, or the American board of nutrition; or
 - d. Present evidence to the board regarding employment and competence as a nutritionist before July 1, 1985, and the inability to meet the criteria of subdivision a, b, or c.

SECTION 9. AMENDMENT. Section 43-44-08 of the North Dakota Century Code is amended and reenacted as follows:

43-44-08. Requirements for licensure - Licensed registered dietitian.

1. Applicants for licensure as a licensed registered dietitian must:
 - a. Comply with subsection 1 of section 43-44-07.
 - b. Have satisfactorily completed the education and experience requirements for dietitians approved by the commission on dietetic registration of the ~~American dietetic association~~academy of nutrition and dietetics or its predecessor or successor organization.
 - c. Have satisfactorily completed the examination approved and administered by the commission on dietetic registration of the

~~American dietetic association academy of nutrition and dietetics or its predecessor or successor organization.~~

2. Applicants for renewal of licensure as a licensed registered dietitian must:
 - a. Comply with subsection 1.
 - b. Have satisfactorily completed continuing education requirements specified by the commission on dietetic registration of the ~~American dietetic association academy of nutrition and dietetics or its predecessor or successor organization.~~

SECTION 10. AMENDMENT. Section 43-44-09 of the North Dakota Century Code is amended and reenacted as follows:

43-44-09. Waiver of requirements for licensure of dietitians.

Upon application, the board shall grant a license to any person certified prior to July 1, 1985, as a registered dietitian by the commission on dietetic registration of the ~~American dietetic association academy of nutrition and dietetics or its predecessor or successor organization.~~ Upon application of any person certified by the commission on dietetic registration of the ~~American dietetic association academy of nutrition and dietetics or its predecessor or successor organization~~ after July 1, 1985, the board may waive the examination, education, and experience requirements and grant the applicant a license if the board determines that the requirements for certification are equivalent to the related requirements for licensure in this chapter.

SECTION 11. AMENDMENT. Subsection 4 of section 43-44-10 of the North Dakota Century Code is amended and reenacted as follows:

4. Any person who does not meet the requirements of subdivision a, b, or c of subsection 1 of section 43-44-07, and who provides nutrition care services, including weight control programs, under the supervision of a licensed registered dietitian, a dietitian licensed in another state that has licensure requirements considered by the board to be at least as stringent as the requirements for licensure under this chapter, or a dietitian registered by the commission on dietetic registration of the ~~American dietetic association academy of nutrition and dietetics or its predecessor or successor organization.~~

SECTION 12. AMENDMENT. Subsection 1 of section 43-44-15 of the North Dakota Century Code is amended and reenacted as follows:

1. The board may deny a license, refuse to renew a license, suspend a license, or revoke a license, or may impose probationary conditions on a licensee if the licensee or applicant has been found guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public. Unprofessional conduct includes:
 - a. Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.
 - b. Being guilty of unprofessional conduct as defined by rules adopted by the board, or violating any code of ethics adopted by the ~~American dietetic association academy of nutrition and dietetics or its predecessor or successor organization.~~
 - c. Being convicted of an offense, as defined by section 12.1-01-04, that the board determines has a direct bearing upon a person's ability to serve the public as a licensed registered dietitian or a licensed nutritionist or, following conviction of any offense, if the board

determines that the person is not sufficiently rehabilitated under section 12.1-33-02.1.

- d. Violating any lawful order or rule of the board.
- e. Violating this chapter."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1102: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1102 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

Reps. Rohr, Becker, Brabandt, Heller, Kasper, Porter, Schmidt and Sens. Berry, Sitte, Triplett introduced:

HB 1314: A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to genetic privacy; and to provide a penalty.

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

Reps. Kempenich, Drovdal, N. Johnson, Oversen, Rust, Schatz, Steiner and Sens. Armstrong, Mathern, Wardner introduced:

HB 1315: 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 cultural grants to cities and counties; and to provide a transfer.

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

Reps. Louser, Beadle, Becker, Streyle, Wieland and Sens. Krebsbach, J. Lee, Poolman introduced:

HB 1316: A BILL for an Act 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.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Strinden, Delmore, Hawken, Heller, D. Johnson, Mooney, Rohr and Sens. Flakoll, J. Lee, Sinner, Unruh, Heckaman introduced:

HB 1317: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to a student loan paydown program for early childhood education and care providers; and to provide an appropriation.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Louser, Beadle, Dosch, Headland, K. Koppelman, Larson, Nathe, Schatz and Sens. Cook, Hogue, Miller introduced:

HCR 3006: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to prohibition of the imposition of sales or transfer taxes on the transfer of real property.

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

Reps. Belter, Headland introduced:

HCR 3007: A concurrent resolution to repeal section 10 of article X of the Constitution of North Dakota, which imposes a statewide property tax levy of one mill for support of the state medical center at the University of North Dakota; and to provide an effective date.

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

Reps. Dosch, Klemin, Schatz and Sens. Bowman, Sitte, Wanzek introduced:

HCR 3008: A concurrent resolution to amend and reenact subsection 1 of section 6 of article VIII and sections 12 and 13 of article IX of the Constitution of North Dakota, relating to the names, locations, and missions of state institutions of higher education.

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

Reps. Beadle, Heilman, N. Johnson, Sanford, Mock and Sens. Flakoll, Miller introduced:

HCR 3009: A concurrent resolution directing the Legislative Management to study the use of open textbooks in the North Dakota University System, including options to develop

partnerships with other states to use open textbooks.
Was read the first time and referred to the **Education Committee**.

Reps. Steiner, Delzer, Froseth, Hatlestad, Heller, Kreidt, Laning, Rohr, Schmidt, Onstad and Sens. Lyson, Unruh introduced:

HCR 3010: A concurrent resolution urging Congress and the United States Army Corps of Engineers to address access issues on Lake Sakakawea and Lake Oahe or to return to the state of North Dakota land controlled by the United States Army Corps of Engineers which is not necessary to flood control.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Reps. Carlson, Delzer, Devlin, Monson and Sens. Grindberg, Hogue introduced:

HCR 3011: A concurrent resolution to amend and reenact sections 2, 3, 4, and 9 of article III of the Constitution of North Dakota, relating to the fiscal impact of initiated measures and requirements for the circulation of initiative and referendum petitions.

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

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

Buell J. Reich, Chief Clerk