

JOURNAL OF THE HOUSE

Sixty-third Legislative Assembly

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Bismarck, February 18, 2013

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

The prayer was offered by Pastor Tim Johnson, Good Shepherd Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Heilman, M. Nelson, and Ruby.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. KRETSCHMAR rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE KRETSCHMAR

MR. SPEAKER: Representative Brandenburg and I wish to congratulate the South Border Mustangs wrestling team for winning the 2013 Class B wrestling championship in Fargo this past weekend. South Border is a co-op of Ashley, Wishek, and Zeeland students. They won the individual championship with 195 points. They also won the dual championship as a team, beating a strong Linton-HMB squad in the finals. Particular congratulations go to senior Blake Bosch of Wishek, who set a new record for North Dakota, by reaching a total of 240 wins over his wrestling career, and was named Class B Senior Wrestler of the Year. The South Border team is coached by Josh Hoffman and Dwight Schilling and assisted by Eugene Nolz. Very good work South Border.

REQUEST

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

SIXTH ORDER OF BUSINESS

SPEAKER DEVLIN DEEMED approval of the amendments to HB 1206, HB 1225, HB 1246, HB 1325, HB 1383, HB 1400, and HCR 3016.

HB 1206, HB 1225, HB 1246, HB 1325, HB 1383, HB 1400, and HCR 3016, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. VIGESAA MOVED that Engrossed HB 1210, which is on the Eleventh order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, Engrossed HB 1210 was rereferred.

MOTION

REP. VIGESAA MOVED that HB 1242, which is on the Eleventh order, be rereferred to the **Political Subdivisions Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, HB 1242 was rereferred.

MOTION

REP. VIGESAA MOVED that HB 1084, which is on the Eleventh order of business, be moved to the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1429: A BILL for an Act to amend and reenact section 15.1-09-58 of the North Dakota Century Code, relating to early childhood education.

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 49 YEAS,

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

YEAS: Amerman; Boe; Boschee; Delmore; Dockter; Fehr; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Kretschmar; Larson; Maragos; Martinson; Mock; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Porter; Rust; Sanford; Schatz; Strinden; Toman; Trottier; Vigasaa; Wall; Weisz; Williams; Zaiser; Speaker Devlin

NAYS: Anderson; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dosch; Drovdal; Froseth; Grande; Hatlestad; Headland; Heller; Karls; Kasper; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Looyen; Louser; Meier; Monson; Pollert; Rohr; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Wieland

ABSENT AND NOT VOTING: Beadle; Heilman; Nelson, M.; Ruby

Engrossed HB 1429 passed.

SECOND READING OF HOUSE BILL

HB 1464: A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-12.1 and subsection 1 of section 57-40.2-07.1 of the North Dakota Century Code, relating to the deduction to allow retailer reimbursement for administrative expenses of collecting sales and use taxes; and to provide an effective date.

ROLL CALL

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

YEAS: Amerman; Anderson; 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; 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; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

NAYS: Strinden

ABSENT AND NOT VOTING: Beadle; Heilman; Nelson, M.; Ruby

Engrossed HB 1464 passed.

SECOND READING OF HOUSE BILL

HB 1067: A BILL for an Act to amend and reenact section 61-02-09 of the North Dakota Century Code, relating to the state water commission acting as a public corporation.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; 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; 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.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Heilman; Nelson, M.; Ruby

HB 1067 passed.

SECOND READING OF HOUSE BILL

HB 1071: A BILL for an Act to create and enact section 19-03.1-17.2 of the North Dakota Century Code, relating to licensing procedures to obtain a registration under the Uniform Controlled Substances Act; to amend and reenact sections 19-03.1-01, 19-03.1-16, and 19-03.1-17 of the North Dakota Century Code, relating to controlled substances; and to provide a penalty.

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 0 YEAS, 91 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Heilman; Nelson, M.; Ruby

HB 1071 failed.

MOTION

REP. VIGESAA MOVED that HB 1084, which is on the Eleventh order of business, be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1084: A BILL for an Act to create and enact two new sections to chapter 13-05, two new sections to chapter 13-08, two new sections to chapter 13-09, and a new section to chapter 13-11 of the North Dakota Century Code, relating to a six-month extension of a collection agency license, a deferred presentment service provider license, and a money transmitter license during the 2014 calendar year, and the confidentiality of information submitted or received by the commissioner or commissioner's designee to a nationwide multistate licensing system; and to amend and reenact subsection 4 of section 6-01-07.1, sections 13-05-03, 13-05-05, 13-08-04, and 13-08-09, subsections 6 and 7 of section 13-08-12, and sections 13-09-07, 13-09-10, and 13-11-03 of the North Dakota Century Code, relating to the confidentiality of information shared with a nationwide multistate licensing system, collection agency license applications, the expiration and renewal of a collection agency license, deferred presentment service provider license applications, the expiration and renewal of a deferred presentment service provider license, deferred presentment service transaction procedures, money transmitter license applications, the expiration and renewal of a money transmitter license, and debt-settlement provider

license applications.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; 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; 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.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Heilman; Nelson, M.; Ruby

Engrossed HB 1084 passed.

SECOND READING OF HOUSE BILL

HB 1159: A BILL for an Act to provide an appropriation to the state auditor for additional vulnerability testing of state computer networks.

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 6 YEAS, 85 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Beadle; Klemin; Maragos; Mock; Porter; Strinden

NAYS: Amerman; Anderson; 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; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looysen; Louser; Martinson; Meier; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Heilman; Nelson, M.; Ruby

HB 1159 failed.

SECOND READING OF HOUSE BILL

HB 1161: A BILL for an Act to amend and reenact subsection 12 of section 20.1-02-05 of the North Dakota Century Code, relating to game and fish department licenses; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 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; 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.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Heilman; Nelson, M.; Ruby

Engrossed HB 1161 passed.

SECOND READING OF HOUSE BILL

HB 1165: A BILL for an Act to amend and reenact section 23-01-05.3 and subsection 1 of section 43-15-01 of the North Dakota Century Code, relating to the North Dakota immunization information system.

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 34 YEAS, 58 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Beadle; Boe; Boschee; Delmore; Fehr; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Klemin; Kretschmar; Looyesen; Maragos; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Steiner; Strinden; Wall; Williams; Zaiser

NAYS: Anderson; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Kiefert; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Larson; Louser; Martinson; Meier; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Speaker Devlin

ABSENT AND NOT VOTING: Heilman; Ruby

HB 1165 failed.

SECOND READING OF HOUSE BILL

HB 1301: A BILL for an Act to amend and reenact sections 15.1-29-14 and 15.1-32-19 of the North Dakota Century Code, relating to the reimbursement of school districts for boarding care costs; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

Williams; Zaiser; Speaker Devlin

NAYS: Drovdal

ABSENT AND NOT VOTING: Heilman; Ruby

HB 1301 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1351: A BILL for an Act to amend and reenact sections 11-15-03, 11-16-01, 11-16-06, and 14-09-29 of the North Dakota Century Code, relating to the duties of the sheriff and state's attorney and to parenting rights and responsibilities.

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

YEAS: Beadle; Becker; Bellew; Boehning; Brandenburg; Damschen; Delzer; Grande; Hatlestad; Headland; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Louser; Meier; Monson; Nathe; Nelson, J.; Paur; Pollert; Rohr; Sanford; Schatz; Skarphol; Thoreson; Trottier; Wieland

NAYS: Amerman; Anderson; Belter; Boe; Boschee; Brabandt; Carlson; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Klein; Klemin; Kretschmar; Kreun; Larson; Looyesen; Martinson; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Owens; Porter; Rust; Schmidt; Silbernagel; Steiner; Streyle; Strinden; Sukut; Toman; Vigesaa; Wall; Weisz; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Heilman; Maragos; Ruby

HB 1351 failed.

SECOND READING OF HOUSE BILL

HB 1378: A BILL for an Act to require the department of human services to conduct a study of the cost of services to children; and to provide for a report to the sixty-fourth legislative assembly.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Haak; Heilman; Ruby

HB 1378 passed.

SECOND READING OF HOUSE BILL

HB 1438: A BILL for an Act to provide an appropriation to the department of human services for services for individuals with intellectual or developmental disabilities.

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

YEAS: Amerman; Beadle; Boe; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Johnson, N.; Kasper; Kelsh, J.; Kelsh, S.; Kiefert; Kretschmar; Kreun; Larson; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Sanford; Steiner; Strinden; Thoreson; Trottier; Zaiser

NAYS: Anderson; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heller; Hofstad; Johnson, D.; Karls; Keiser; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Looysen; Louser; Nathe; Owens; Paur; Pollert; Porter; Rohr; Rust; Schatz; Schmidt; Silbernagel; Skarphol; Streyle; Sukut; Toman; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

ABSENT AND NOT VOTING: Heilman; Ruby

HB 1438 failed.

SECOND READING OF HOUSE BILL

HB 1443: A BILL for an Act to provide for collaboration in developing diabetes goals and plans.

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 82 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; 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; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

NAYS: Becker; Bellew; Delzer; Drovdal; Headland; Heller; Pollert; Skarphol; Streyle; Toman

ABSENT AND NOT VOTING: Heilman; Ruby

HB 1443 passed.

SECOND READING OF HOUSE BILL

HB 1380: A BILL for an Act to create and enact chapter 40-22.2 of the North Dakota Century Code, relating to creation of safety and emergency services improvement districts and levy of special assessments against certain property exempt from property taxes for a share of the cost of providing law enforcement, fire, and ambulance service benefiting those properties.

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 31 YEAS, 61 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Becker; Belter; Brandenburg; Carlson; Delzer; Dockter; Drovdal; Frantsvog; Froseth; Grande; Hatlestad; Headland; Kasper; Keiser; Kempenich; Kretschmar; Louser; Meier; Nathe; Paur; Pollert; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigessaa; Wieland

NAYS: Amerman; Beadle; Bellew; Boe; Boehning; Boschee; Brabandt; Damschen; Delmore; Dosch; Fehr; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Larson; Looyesen; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Porter; Rohr; Rust; Sanford; Schatz; Strinden; Thoreson; Toman; Wall; Weisz; Williams; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Heilman; Ruby

Engrossed HB 1380 failed.

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 2104, SB 2147, SB 2172, SB 2256, SB 2259, SB 2304, SB 2312, SB 2321, SB 2348, SB 2366.

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 2287.

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, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, February 19, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1131: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1131 was placed on the Sixth order on the calendar.

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

Page 2, line 13, remove "A person"

Page 2, line 13, overstrike "who is a resident"

Page 2, line 14, remove "and who"

Page 2, line 14, overstrike "has executed a"

Page 2, line 15, overstrike "lease for at least"

Page 2, line 15, remove "an entire quarter section"

Page 2, line 15, overstrike "of"

Page 2, line 16, overstrike "land"

Page 2, line 16, remove ". regardless of size."

Page 2, line 16, overstrike "and that actively farms or ranches that land or"

Page 2, line 18, remove "a person who is a resident and"

Page 2, line 18, overstrike "holds title to at least"

Page 2, line 19, remove "an entire quarter section"

Page 2, line 19, overstrike "of land"

Page 2, line 19, remove ". regardless of size."

Page 2, line 19, overstrike "is eligible to"

Page 2, line 20, overstrike "apply for a license to hunt deer without charge"

Page 2, line 20, remove the underscored period

Page 2, line 21, remove "Upon"

Page 2, line 21, overstrike "payment of the fee requirement for a nonresident big game license"

Page 2, line 21, remove "and"

Page 2, line 22, overstrike "filing a signed application describing that land"

Page 2, line 22, remove ". a person who is a nonresident is"

Page 2, line 23, remove "eligible to hunt deer"

Page 2, line 23, overstrike ". If the license is issued to"

Page 2, line 24, remove "an organization"

Page 2, line 24, overstrike the third comma

Page 2, line 24, remove "no"

Page 2, line 25, remove "more than"

Page 2, line 25, overstrike "one license may be issued and the license must be issued in the name of"

Page 2, line 26, overstrike "an individual"

Page 2, line 26, remove "who is a beneficiary of a trust or estate, a"

Page 2, line 26, overstrike "shareholder"

Page 2, line 26, remove "of a corporation or"

Page 2, line 27, remove "company"

Page 2, line 27, overstrike the first comma

Page 2, line 27, remove "the holder of a life estate, a"

Page 2, line 27, overstrike "partner"

Page 2, line 27, remove "of a partnership, or a"

Page 2, line 28, remove "member of an association, enterprise, venture, or other entity"

Page 2, line 28, overstrike ". The land must be within"

Page 2, overstrike lines 29 through 31

Page 3, replace lines 1 through 13 with:

- "a. An individual, corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate that hold title to at least one hundred fifty acres [60.70 hectares] of land is eligible to apply for a license to hunt deer without charge, or if the individual named to receive the license is a nonresident, upon payment of the fee required for a nonresident big game license.
- b. A resident that is an individual, corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate that has executed a lease for at least one hundred fifty acres [60.7028 hectares] of land and that actively farms or ranches that land is eligible to apply for a license to hunt deer without charge. Upon request, a lessee shall provide proof the land described in the completed application is leased for agricultural purposes. If not otherwise specified in an agricultural lease, the landowner is entitled to receive the license. An individual issued a license under this subsection must be a resident.
- c. Applications must include a legal description of the eligible land, must be within a unit open for the hunting of deer, and must be signed. A license issued under this subsection is valid for the deer bow, deer gun, and muzzleloader seasons until filled and only upon the land described in the application.
- d. If the eligible applicant in subsections a and b is a corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate, only one license may be issued and the license must be issued in the name of an individual shareholder, member, partner, beneficiary, or holder of a life estate.
- e. An individual who is eligible for a license under subsections a and b may transfer that eligibility for the license to a spouse or legal dependent residing customarily with that individual. An individual may be eligible for only one license. No more than one license may be issued under this subsection for all qualifying land. An individual transferring eligibility under this subsection may not receive a license under subsections a and b for seasons for which the eligibility was transferred.
- f. An individual, that individual's spouse, and their children who have a license issued under subsections a and b may hunt together on land described in any of the applications making them eligible for the license. Family members hunting together under this provision must hunt within the same unit within which the land described in the application making them eligible for the license is located.
- g. Applications for license issued under subsections a, b, and f received by the game and fish department on or before the date of the application deadline for deer gun lottery will be issued as any legal deer. Applications for license issued under subsections a, b, and f received by the game and fish department after the the application deadline will be issued based on licenses available."

Page 3, line 23, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 3, line 23, remove ", regardless of size."

Page 3, line 25, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 3, line 25, remove ", regardless of size."

Page 5, line 2, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 5, line 2, remove ", regardless of size."

Page 5, line 4, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 5, line 4, remove ", regardless of size."

Page 6, line 5, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 6, line 5, remove ", regardless of size."

Page 6, line 7, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 6, line 7, remove ", regardless of size."

Page 7, after line 22, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1132: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1132 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 provide for a legislative management study of the feasibility and desirability of making political subdivision budget information accessible on the state budget database website and finding better ways to inform taxpayers regarding political subdivision budget or levy deliberations and regarding legislative property tax relief."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - BUDGET AND PROPERTY TAX RELIEF INFORMATION. During the 2013-14 interim, the legislative management shall assign to the advisory commission on intergovernmental relations a study of the feasibility and desirability of making political subdivision budget information accessible on the state budget database website and finding better ways to inform taxpayers regarding political subdivision budget or levy deliberations and regarding legislative property tax relief. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1147: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1147 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new subsection to section 49-22-03 and"

Page 1, line 1, after the second "a" insert "new"

Page 1, line 2, remove "definitions and"

Page 1, line 2, replace "variances" with "adjustments"

Page 1, line 4, remove "and sections 49-22-07.1 and 49-22-13"

Page 1, line 5, remove "and the procedure"

Page 1, line 5, after the semicolon insert "to repeal section 49-22-07.1 of the North Dakota Century Code, relating to a letter of intent;"

Page 1, line 10, replace "strip" with "area"

Page 1, line 10, remove "proposed and surveyed, as"

Page 1, line 11, remove "applicable, by an applicant"

Page 1 line 13, remove the overstrike over "designated"

Page 1, remove lines 15 through 23

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 30

Page 4, remove lines 1 and 2

Page 4, remove lines 5 through 30

Page 5, replace lines 1 through 25 with:

"Route adjustment before or during construction for gas or liquid transmission line.

1. Before or during construction, a utility, without any action by the commission, may adjust the route of a gas or liquid transmission line within the designated corridor if, before conducting any construction activities associated with the adjustment, the utility files with the commission certification and supporting documentation that:
 - a. The construction activities will be within the designated corridor;
 - b. The construction activities will not affect any known exclusion or avoidance areas within the designated corridor; and
 - c. The utility will comply with the commission's order, laws, and rules designating the corridor and designating the route.
2. Before or during construction, a utility may adjust the route of a gas or liquid transmission line within the designated corridor that may affect an avoidance area if, before conducting any construction activities associated with the adjustment, the utility:
 - a. Files with the commission certification and supporting documentation that:
 - (1) The construction activities are within the designated corridor;
 - (2) The construction activities will not affect any known exclusion areas within the designated corridor;

- (3) The construction activities are expected to impact an avoidance area with a specific description of the avoidance area expected to be impacted;
 - (4) Each owner of real property on which the adjustment is to be located and any applicable governmental entity with an interest in the same adjustment area do not oppose the adjustment, unless the utility previously received authorization from the commission for the impact to the avoidance area;
 - (5) For an impact for which the utility does not already have approval or has not filed the approval in paragraph 4, the utility has good cause and a specific reason to impact the avoidance area, and a reasonable alternative does not exist; and
 - (6) The utility will comply with the commission's order, laws, and rules designating the corridor and designating the route.
 - b. Receives the commission's written authorization that the utility may impact the avoidance area. If the commission does not authorize the impact to the avoidance area, the utility must obtain siting authority for the affected portion of the route adjustment. If the commission fails to act within ten working days of receipt of the utility's filing of the certification and supporting documentation under subdivision a of subsection 2, the route adjustment is deemed approved.
- 3. Before or during construction, a utility, without any action by the commission, may adjust the route of a gas or liquid transmission line outside the designated corridor if, before conducting any construction activities associated with the adjustment, the utility:
 - a. Files with the commission certification and supporting documentation that:
 - (1) The construction activities will not affect any known exclusion or avoidance areas;
 - (2) The route outside the corridor is no longer than one and one-half mile [2.41 kilometers];
 - (3) The utility will comply with the commission's order, laws, and rules designating the corridor and designating the route; and
 - (4) Each owner of real property on which the adjustment is to be located and any applicable governmental entity with an interest in the same adjustment area do not oppose the adjustment.
 - b. Files detailed field studies indicating exclusion and avoidance areas for an area encompassing the route outside the designated corridor equal to the length of the adjustment of the proposed corridor.
- 4. Before or during construction, a utility may adjust the route of a gas or liquid transmission line outside the designated corridor that may affect an avoidance area if, before conducting any construction activities associated with the adjustment, the utility:
 - a. Files with the commission certification and supporting documentation that:
 - (1) The construction activities will not affect any known exclusion areas;
 - (2) The construction activities are expected to impact an avoidance area with a specific description of the avoidance area expected to be impacted;

- (3) The utility has good cause and a specific reason to impact the avoidance area, and a reasonable alternative does not exist;
 - (4) The route outside the corridor is no longer than one and one-half mile [2.41 kilometers];
 - (5) The utility will comply with the commission's order, laws, and rules designating the corridor and designating the route; and
 - (6) Each owner of real property on which the adjustment is to be located and any applicable governmental entity with an interest in the same adjustment area do not oppose the adjustment.
- b. Files detailed field studies indicating exclusion and avoidance areas for an area encompassing the route outside the designated corridor equal to the length of the adjustment of the proposed corridor.
 - c. Receives the commission's written authorization that the utility may impact the avoidance area. If the commission does not authorize the impact to the avoidance area, the utility must obtain siting authority for the affected portion of the route adjustment. If the commission fails to act within ten working days of receipt of the utility's filing of the certification and supporting documentation under subdivisions a and b of subsection 4, the route adjustment is deemed approved.
- 5. The commission may not be required to hold a public hearing or publish a notice of opportunity for a public hearing for any route adjustment under this section.

SECTION 3. REPEAL. Section 49-22-07.1 of the North Dakota Century Code is repealed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1255: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1255 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1275: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1275 was placed on the Sixth order on the calendar.

Page 1, line 3, after the third comma insert "and"

Page 1, line 3, remove ", 16.1-15-06, 16.1-15-08, and 58-04-09"

Page 1, line 4, replace "section" with "sections"

Page 1, line 5, after "16.1-05-06" insert "and 58-04-09"

Page 3, line 18 overstrike "If an individual offering to vote does not have or refuses to show an appropriate form"

Page 3, line 19, overstrike "of identification, the individual may be allowed to vote"

Page 3, line 21, overstrike "if a member of the election board or a"

Page 3, line 21, remove "poll"

Page 3, line 21, overstrike "clerk knows the"

Page 3, line 22, overstrike "individual and can personally vouch that the individual is a qualified elector of"

Page 3, line 22, remove "a"

Page 3, line 23, overstrike "precinct"

Page 3, line 23, remove "administered by the polling place. The individual shall provide the individual's"

Page 3, line 24, remove "date of birth to the poll clerk entering the name of the voter in the pollbook"

Page 3, line 24, overstrike the period

Page 3, line 25, overstrike "3."

Page 4, line 11, replace "4." with "3."

Page 4, remove lines 13 through 30

Page 5, remove lines 1 through 29

Page 6, remove lines 24 through 31

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 10

Page 8, line 11, replace "Section" with "Sections"

Page 8, line 11, after "16.1-05-06" insert "and 58-04-09"

Page 8, line 11, replace "is" with "are"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1288: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1288 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1324: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1324 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1348: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1348 was placed on the Sixth order on the calendar.

Page 1, after line 6, insert:

"1."

Page 1, line 12, after the second period insert:

"2."

Page 1, line 15, remove the overstrike over "five"

Page 1, line 15, remove "one thousand three"

Page 1, line 15, remove "twenty"

Page 1, line 15, remove the overstrike over "~~152.4~~"

Page 1, line 15, remove "402.34"

Page 1, line 17, remove "one thousand three"

Page 1, line 17, overstrike "hundred"

Page 1, line 17, remove "twenty" and insert immediately thereafter "one thousand"

Page 1, line 17, replace "402.34" with "300.48"

Page 1, line 18, overstrike "as" and insert immediately thereafter ":

- a. For wells permitted on new pads built after July 31, 2013, the conditions imposed under this subdivision may include, upon request of the landowner of the occupied dwelling, requiring that the location of all flares, tanks, and treaters utilized in connection with the permitted well be located at a greater distance from the occupied dwelling than the oil and gas well bore if the location can be accommodated reasonably within the proposed pad location; or

- b. As"

Page 1, line 19, after the second "the" insert "occupied"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1390: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO NOT PASS** (10 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1390 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1397: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1397 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "a person" and insert immediately thereafter "an individual or organization"

Page 1, line 8, overstrike "person's" and insert immediately thereafter "individual's"

Page 1, line 23, overstrike "person" and insert immediately thereafter "individual or organization"

Page 2, line 7, overstrike "persons" and insert immediately thereafter "individuals or organizations"

Page 2, line 17, overstrike "person's" and insert immediately thereafter "individual's or organization's"

Page 2, line 20, replace "person's" with "individual's"

Page 2, line 22, replace "13" with "12"

Page 2, line 25, replace "A violation of subsection 15 is a class C felony." with "An organization, as defined in section 12.1-03-04, that violates this section is subject to the organizational fines in section 12.1-32-01.1. An individual who is a member of an organization may be convicted of a violation as an accomplice under section 12.1-03-01. The court in which the conviction is entered shall notify the secretary of state of the conviction and shall order the secretary of state to revoke

the certificate of authority of any convicted organization or limited liability company. The organization may not reapply to the secretary of state for authorization to do business under any name for one year upon conviction of a class A misdemeanor and for five years upon conviction of a class C felony under this section. A violation of subsection 13 is a class C felony. A violation of subsection 15 is a class A misdemeanor if an individual signs one or two names other than the individual's own name to a petition and is a class C felony if an individual signs more than two names other than the individual's own name to a petition."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1403: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1403 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "require the" with "provide for a"

Page 1, line 1, remove the second "to"

Page 1, line 1, after "study" insert "of"

Page 1, line 5, replace "The" with " During the 2013-14 interim, the"

Page 1, line 5, replace "study" with "consider studying"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1411: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO NOT PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1411 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1445: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO NOT PASS** (10 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1445 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3010: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3010 was placed on the Sixth order on the calendar.

Page 1, remove lines 2 through 23

Page 2, replace lines 1 through 9 with "ensure that access to Lake Sakakawea and Lake Oahe for agriculture, commerce, energy and water development, and recreation is not inhibited by unreasonable regulations and to address proper funding for all project purposes and weed control on Lake Sakakawea and Lake Oahe.

WHEREAS, North Dakota has sacrificed hundreds of thousands of acres of production farm and ranch land for the development of the Lake Sakakawea and Lake Oahe project areas; and

WHEREAS, Congress and the United States Army Corps of Engineers have legal and historical obligations to the state of North Dakota under the Flood Control Act of 1944 [Pub. L. 78-534; 58 Stat. 887; 16 U.S.C. 460d et seq.; 33 U.S.C. 701 et seq.] to ensure proper funding is provided for all project purposes, and public access to the project areas of Lake Sakakawea and Lake Oahe; and

WHEREAS, the United States Army Corps of Engineers has a federal legal obligation to adequately budget noxious weed control on all project lands pursuant to the Carlson-Foley Act of 1968 [Pub. L. 90-583; 82 Stat. 1146; 43 U.S.C. 1241 et seq.] and the Federal Noxious Weed Act of 1974 [Pub. L. 93-629; 88 Stat. 2148; 7 U.S.C. 2801 et seq.], and adequate funding to fulfill these duties has not been budgeted for by the United States Army Corps of Engineers nor provided by Congress; and

WHEREAS, the North Dakota Legislative Assembly requests that the United States Army Corps of Engineers include as agenda items the topics of lake, dock, and shoreline access as well as weed control when it holds public hearings in North Dakota to discuss lake management issues;"

Page 2, line 13, remove "address access issues on Lake Sakakawea and Lake Oahe or to return"

Page 2, remove line 14

Page 2, line 15, replace "which is not necessary to flood control" with "ensure that access to Lake Sakakawea and Lake Oahe for agriculture, commerce, energy and water development, and recreation is not inhibited by unreasonable regulations and to address proper funding for all project purposes and weed control on Lake Sakakawea and Lake Oahe"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3014: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3014 was placed on the Sixth order on the calendar.

Page 1, line 5, after "lots" insert "and that the state Attorney General consider taking such action as may be helpful to bring about the desired solution"

Page 2, line 2, after "lots" insert "and that the state Attorney General consider taking such action as may be helpful to bring about the desired solution"

Page 2, line 5, remove "and"

Page 2, line 5, after "Delegation" insert ", and to the state Attorney General"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3030: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3030 was placed on the Tenth order on the calendar.

FIRST READING OF SENATE BILLS

SB 2007: A BILL for an Act to provide an appropriation for defraying the expenses of the veterans' home and department of veterans' affairs; and to provide an exemption. Was read the first time and referred to the **Appropriations Committee**.

SB 2233: A BILL for an Act to provide a declaration of water policy and goals and objectives for water project development, the Mouse River enhanced flood control project, the Southwest pipeline project, the Garrison diversion unit, and the Fargo-Moorhead flood control project; to create and enact a new section to chapter 6-09.4 of the North Dakota Century Code, relating to an infrastructure revolving loan fund; to amend and reenact sections 57-51.1-07, 61-24.7-01, 61-24.7-05, and 61-40-06 of the North Dakota Century Code, allocation of moneys in the oil extraction tax development fund, the Red River water supply project, and oversight of the western

area water supply project; to repeal sections 61-24.7-02, 61-24.7-03, and 61-24.7-04 of the North Dakota Century Code, relating to funding of the Red River valley water supply project; and to provide a continuing appropriation.

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

SB 2239: A BILL for an Act to amend and reenact section 62.1-04-02 of the North Dakota Century Code, relating to dangerous weapons.

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

SB 2242: A BILL for an Act to create and enact a new subsection to section 20.1-01-02 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to disabled veterans and hunting fees; and to amend and reenact subsection 6 of section 20.1-03-12 of the North Dakota Century Code, relating to fishing fees for disabled veterans.

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

SB 2251: A BILL for an Act to amend and reenact subsection 1 of section 6-08-16, subsection 3 of section 6-08-16.2, sections 12.1-21-04, 12.1-23-02.1, 12.1-23-05, 12.1-23-06, 12.1-23-07, and 12.1-23-08, subsection 1 of section 12.1-23-09, and sections 12.1-24-01, 12.1-24-03, 26.1-02.1-05, and 29-03-22 of the North Dakota Century Code, relating to the penalties for crimes for which a monetary amount triggers the level of penalty; and to provide a penalty.

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

SB 2254: A BILL for an Act amend and reenact section 50-24.1-02.3 of the North Dakota Century Code, relating to designated pre-need funeral service contracts.

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

SB 2255: A BILL for an Act to amend and reenact section 16.1-08.1-01 and subsection 2 of section 16.1-08.1-03.3 of the North Dakota Century Code, relating to campaign contributions.

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

SB 2257: A BILL for an Act to amend and reenact section 25-03.3-17 and 25-03.3-18 of the North Dakota Century Code, relating to postcommitment procedures in cases of civil commitment of sexually dangerous individuals.

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

SB 2261: A BILL for an Act to create and enact two new sections to chapter 57-40.6 of the North Dakota Century Code, relating to the creation of a prepaid wireless emergency 911 fee; to amend and reenact section 57-40.6-01, subsection 1 of section 57-40.6-02, sections 57-40.6-03, 57-40.6-08, and 57-40.6-13 of the North Dakota Century Code, relating to prepaid wireless services and limitation of liability for prepaid wireless service providers or sellers; and to provide an effective date.

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

SB 2265: A BILL for an Act to amend and reenact section 12.1-27.2-05 of the North Dakota Century Code, relating to sexual performance by a minor.

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

SB 2266: A BILL for an Act to amend and reenact section 10-15-05, subsection 2 of section 10-15-12, subsection 1 of section 10-19.1-10, section 10-19.1-17, subsection 1 of section 10-32-07, section 10-32-14, subsection 1 of section 10-33-06, section 10-33-14, and subsection 3 of section 10-34-04 of the North Dakota Century Code, relating to cooperative association of articles of incorporation and address of the principal office, business corporation articles of incorporation and amendment of articles of incorporation, limited liability company articles of organization and amendment of the articles of organization, nonprofit corporation articles of incorporation and amendment of articles of incorporation, and contents of the registration a real estate investment trust.

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

SB 2270: A BILL for an Act to amend and reenact subsection 1 of section 48-01.2-04 and subsection 3 of section 48-01.2-19 of the North Dakota Century Code, relating to the publication of advertisements for bids for public improvement contracts.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2278: A BILL for an Act to amend and reenact section 2-05-06.5 of the North Dakota Century Code, relating to state assistance for airports.

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

SB 2292: A BILL for an Act to create and enact a new subsection to section 37-17.1-04 and a new section to chapter 37-17.1 of the North Dakota Century Code, relating to search and rescue operations; and to amend and reenact section 37-17.1-27 of the North Dakota Century Code, relating to reimbursement of costs under the state disaster relief fund.

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

SB 2294: A BILL for an Act to amend and reenact section 57-43.2-41 of the North Dakota Century Code, relating to increased fees for use of dyed special fuel in a licensed motor vehicle and display of consumer advisory information on pumps dispensing dyed special fuel.

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

SB 2305: A BILL for an Act to amend and reenact subsection 1 of section 14-02.1-04 of the North Dakota Century Code, relating to limitations on physicians and abortion facilities.

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

SB 2306: A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota Century Code, relating to youth suicide prevention.

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

SB 2311: A BILL for an Act to amend and reenact section 53-06.1-10.1 of the North Dakota Century Code, relating to cash prize limits for raffles.

Was read the first time and referred to the **Political Subdivisions Committee**.

SB 2316: A BILL for an Act to create and enact section 57-43.2-04.7 of the North Dakota Century Code, relating to a special fuels tax refund for North Dakota taxes paid on special fuels used to operate the power take-off unit or auxiliary engines of a motor vehicle; and to provide an effective date.

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

SB 2322: A BILL for an Act to amend and reenact section 47-26-01 of the North Dakota Century Code, relating to an electrified fence as being within the definition of a legal fence.

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

SB 2337: A BILL for an Act to amend and reenact subsection 4 of section 14-09-08.20, section 26.1-36.3-01, subsection 4 of section 26.1-36.3-04, and sections 26.1-36.3-06 and 26.1-36.3-11 of the North Dakota Century Code, relating to basic health benefit plans and standard health benefit plans; and to repeal sections 26.1-36-09.4, 26.1-36.3-08, 26.1-36.3-10, and 26.1-36.4-07 of the North Dakota Century Code, relating to basic health benefit plans and standard health benefit plans.

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

SB 2360: A BILL for an Act to provide for a legislative management study regarding the mitigation of risk involved in prepaying for agricultural seed, fertilizer, and various crop protection products.

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

SB 2361: A BILL for an Act to create and enact a new section to chapter 15-62.1 of the North Dakota Century Code, relating to a student loan consolidation program at the Bank of North Dakota; and to provide for the Bank of North Dakota to evaluate the program.

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

SB 2375: A BILL for an Act to provide for a legislative management study of home and community-based services.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4001: A concurrent resolution authorizing the Budget Section of the Legislative Management to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

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

SCR 4002: A concurrent resolution directing the Legislative Management to study the feasibility and desirability of community paramedics providing additional clinical and public health services, particularly in rural areas of the state.

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

SCR 4005: A concurrent resolution congratulating the establishment of the first North Dakota chapter of Pilots for Christ, International, and honoring Mr. John Timothy Rice for whom the chapter is named.

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

SCR 4008: A concurrent resolution designating May 1 as "Cold War Victory Day".

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

SCR 4009: A concurrent resolution to create and enact a new section to article I of the Constitution of North Dakota, relating to the inalienable right to life of every human being at every stage of development.

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

