

## JOURNAL OF THE HOUSE

### Sixty-third Legislative Assembly

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**Bismarck, February 6, 2013**

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

The prayer was offered by Pastor Ray Baker, McCabe United Methodist Church, Bismarck.

The roll was called and all members were present except Representative Fehr.

A quorum was declared by the Speaker.

#### SIXTH ORDER OF BUSINESS

**SPEAKER DEVLIN DEEMED** approval of the amendments to HB 1063, HB 1130, HB 1264, HB 1278, HB 1297, HB 1307, HB 1354, HB 1434, and HB 1455.

HB 1278, as amended, was rereferred to the **Appropriations Committee**.

HB 1063, HB 1130, HB 1264, HB 1297, HB 1307, HB 1354, HB 1434, and HB 1455, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTION

**REP. VIGESAA MOVED** that HB 1232, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1068:** A BILL for an Act to amend and reenact sections 53-06.2-10.1 and 53-06.2-11 of the North Dakota Century Code, relating to account wagering and payments to the funds administered by the North Dakota racing commission.

#### 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 54 YEAS, 39 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Boe; Boehning; Boschee; Brabandt; Delmore; Dockter; Dosch; Frantsvog; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Hofstad; Johnson, D.; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kretschmar; Kreun; Looysen; Louser; Maragos; Martinson; Meier; Mooney; Nathe; Nelson, J.; Onstad; Oversen; Porter; Sanford; Schmidt; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Wall; Weisz; Zaiser

**NAYS:** Bellew; Belter; Brandenburg; Carlson; Damschen; Delzer; Drovdal; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Heller; Hogan; Holman; Hunskor; Karls; Kasper; Kreidt; Laning; Larson; Mock; Monson; Muscha; Nelson, M.; Owens; Paur; Pollert; Rohr; Ruby; Rust; Schatz; Silbernagel; Skarphol; Toman; Vigasaa; Wieland; Williams; Speaker Devlin

**ABSENT AND NOT VOTING:** Fehr

Engrossed HB 1068 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1287:** A BILL for an Act to amend and reenact sections 15.1-21-02.4 and 15.1-21-02.5 of the North Dakota Century Code, relating to eligibility for North Dakota career and technical scholarships and North Dakota academic scholarships.

**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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Fehr

Engrossed HB 1287 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1070:** A BILL for an Act to amend and reenact sections 19-03.1-05, 19-03.1-09, 19-03.1-11, and 19-03.1-13 of the North Dakota Century Code, relating to the scheduling of controlled substances; and to declare an emergency.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Fehr

Engrossed HB 1070 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1133:** A BILL to create and enact a new section to chapter 19-03.1 of the North Dakota Century Code, relating to controlled substance analogs; to amend and reenact subsection 7 of section 12-44.1-21, subsection 5 of section 12-46-24, subsection 7 of section 12-47-21, section 19-03.1-01, subdivision b of subsection 1 of section 19-03.1-23, and subsection 7 of section 19-03.1-23 of the North Dakota Century Code, relating to controlled substance analogs; to provide a penalty; and to declare an emergency.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Fehr

Engrossed HB 1133 passed and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1329:** A BILL for an Act to amend and reenact section 39-21-41.2 of the North Dakota Century Code, relating to child restraint devices.

### 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 46 YEAS, 47 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boschee; Delmore; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Heilman; Heller; Hogan; Holman; Hunskor; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Kretschmar; Kreun; Maragos; Martinson; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Porter; Rohr; Sanford; Silbernagel; Strinden; Sukut; Vigesaa; Wall; Williams; Zaiser

**NAYS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Froseth; Grande; Hatlestad; Headland; Hofstad; Johnson, D.; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Looyesen; Louser; Meier; Monson; Nathe; Paur; Pollert; Ruby; Rust; Schatz; Schmidt; Skarphol; Steiner; Streyle; Thoreson; Toman; Trottier; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Fehr

Engrossed HB 1329 failed.

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### SECOND READING OF HOUSE BILL

**HB 1408:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to endowment funds at institutions of higher education; and to provide an appropriation.

### 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 21 YEAS, 71 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Hanson; Hawken; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Onstad; Oversen; Strinden; Wall; Williams; Zaiser

**NAYS:** Anderson; Beadle; Becker; Bellew; Belter; Boe; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Frantsvog; Froseth; Grande; Haak; Hatlestad; Headland; Heilman; Heller; Hofstad; Hogan; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.;

Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Boehning; Fehr

HB 1408 failed.

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### SECOND READING OF HOUSE BILL

**HB 1421:** A BILL for an Act to provide an appropriation to the superintendent of public instruction for a snack beverage program.

### 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 24 YEAS, 69 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Strinden; Williams; Zaiser

**NAYS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovda; Frantsvog; Froseth; Grande; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Fehr

HB 1421 failed.

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### SECOND READING OF HOUSE BILL

**HB 1437:** A BILL for an Act to amend and reenact section 12.1-30-02 of the North Dakota Century Code, relating to Sunday closing.

### 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 30 YEAS, 62 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Boehning; Boschee; Brabandt; Delmore; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Hogan; Johnson, N.; Keiser; Kelsh, J.; Kelsh, S.; Kreun; Louser; Maragos; Martinson; Mock; Mooney; Nelson, J.; Oversen; Streyle; Strinden; Sukut; Thoreson; Zaiser

**NAYS:** Amerman; Bellew; Belter; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovda; Frantsvog; Froseth; Glassheim; Grande; Hatlestad; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Karls; Kasper; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyesen; Meier; Monson; Muscha; Nathe; Nelson, M.; Onstad; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**ABSENT AND NOT VOTING:** Boe; Fehr

HB 1437 failed.

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### SECOND READING OF HOUSE BILL

**HB 1367:** A BILL for an Act to amend and reenact sections 5-02-05 and 5-02-05.1 of the North Dakota Century Code, relating to the sale of alcoholic beverages on Sunday.

### 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 24 YEAS, 65 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Becker; Boehning; Boschee; Delmore; Guggisberg; Hanson; Hawken; Hogan; Johnson, N.; Keiser; Kelsh, S.; Kreun; Louser; Maragos; Mock; Mooney; Nelson, J.; Oversen; Streyle; Strinden; Sukut; Thoreson; Zaiser

**NAYS:** Amerman; Anderson; Bellew; Belter; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovdal; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Haak; Hatlestad; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Karls; Kasper; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyen; Martinson; Meier; Monson; Muscha; Nathe; Nelson, M.; Onstad; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Toman; Trottier; Vigesaa; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Boe; Fehr; Rust; Wall; Williams

HB 1367 failed.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1139, HB 1166, HB 1236, HB 1263, HB 1322, HB 1326, HB 1336, HB 1337, HB 1361, HB 1371, HB 1402, HB 1435.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1207.

### 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 2026, SB 2113, SB 2115, SB 2255, SB 2278, SB 2292.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HCR 3015.

### MOTION

**REP. VIGESAA MOVED** that the absent member 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., Thursday, February 7, 2013, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**HB 1093: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1093 was placed on the Sixth order on the calendar.

Page 1, line 11, remove the second "clinical"

Page 1, line 11, after "work" insert "involving counseling or psychotherapy"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1116: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1116 was placed on the Sixth order on the calendar.

Page 1, line 14, remove ". but not a human service center"

Page 1, line 15, after the period insert "A human service center may not be considered a suitable facility and may not be considered suitable personnel under this section unless the court is aware that an inquiry has been made prior to the court ordering the evaluation to ensure that appropriate resources exist at the human service center being ordered to conduct the evaluation."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1138: 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 1138 was placed on the Sixth order on the calendar.

Page 2, line 11, after "1." insert "The board shall deny a license, refuse to renew a license, suspend a license, revoke a license, or impose probationary conditions if the individual has been convicted or pled guilty or nolo contendere before a court of competent jurisdiction in any state, or before any court, of a felony offense.

2."

Page 2, line 14, remove the overstrike over "an"

Page 2, line 14, remove "a felony offense, an"

Page 2, line 16, after "firearms" insert "under title 12.1 or title 62.1"

Page 2, line 16, replace "any" with "another criminal"

Page 2, line 27, overstrike "2." and insert immediately thereafter "3."

Page 3, line 4, overstrike "3." and insert immediately thereafter "4."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1174: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1174 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "If the"

Page 1, remove lines 13 and 14

Page 1, line 21, replace "provide" with "award"

Page 1, line 21, replace "with" with "a grant that is distributed in"

Page 1, line 21, after "three" insert "equal"

Page 1, line 22, after "annual" insert "grant"

Page 1, remove line 24

Page 2, line 1, remove "history for the preceding twelve months."

Page 2, line 3, after "payments" insert "related to the award"

Page 2, line 4, replace "annual payment" with "grant award"

Page 2, line 8, replace "An annual" with "A"

Page 2, line 8, replace "payment" with "award"

Page 2, after line 13, insert:

"5. Although a qualified business may apply for more than one grant award under this section, a qualified employee under subsection 4 may not be counted in more than one grant application."

Page 2, line 15, replace "\$15,000,000" with "\$2,500,000"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1180: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1180 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1285: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1285 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1303: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1303 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1305: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1305 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1316: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1316 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact two new sections to chapter 47-34 of the North Dakota Century Code, relating to good funds and disclosures for real estate transactions; and to"

Page 1, line 12, after "2." insert "\"Collected funds\" means a cash deposit or a check that has been presented for payment and for which payment has been irrevocably credited to the closing agent's escrow account.

3."

Page 1, line 19, overstrike "3." and insert immediately thereafter "4."

Page 2, line 2, overstrike "received" and insert immediately thereafter "collected"

Page 2, line 7, remove the overstrike over the overstruck comma

Page 2, line 10, after "~~escrow~~" insert "for which funds are collected funds by the real estate broker or the attorney's trust"

Page 2, line 10, remove the overstrike over "account"

Page 2, line 11, remove the overstrike over "not to exceed"

Page 2, line 11, after "ten" insert "fifty"

Page 2, line 11, remove the overstrike over "thousand dollars in the aggregate"

Page 2, line 11, overstrike "that" and insert immediately thereafter "which"

Page 2, line 11, after "is" insert "received by the closing agent and which is"

Page 2, line 13, after "States" insert "located in this state"

Page 2, after line 18, insert:

"g. Funds transferred to the closing agent's escrow account by the bank, savings and loan association, credit union, or savings bank that is the host institution of the closing agent's escrow account."

Page 2, line 19, overstrike "4." and insert immediately thereafter "5."

Page 3, line 4, remove "In a"

Page 3, replace lines 5 and 6 with:

**"SECTION 3.** A new section to chapter 47-34 of the North Dakota Century Code is created and enacted as follows:

**Disclosures.**

In a prominent manner in the closing documents, a closing agent shall disclose the anticipated closing date and all of the dates through which any loan payoffs are calculated.

**SECTION 4.** A new section to chapter 47-34 of the North Dakota Century Code is created and enacted as follows:

**Civil damages.**

In addition to any other cause of action that may exist, a person may bring a cause of action against a person that violates section 47-34-02. In addition to any actual damages a plaintiff may prove, a person that violates section 47-34-02 is liable to the plaintiff for five hundred dollars per violation in the first action. In any subsequent action for violation of section 47-34-02, a person is liable for one thousand dollars per violation."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1328: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1328 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1392: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1392 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1456: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1456 was placed on the Sixth order on the calendar.

Page 2, line 5, replace "or" with an underscored comma

Page 2, line 7, after "woman" insert ", or to save the life of an unborn child"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1460: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1460 was placed on the Sixth order on the calendar.

Page 1, line 19, after "of" insert "plumbing, heating, and"

Page 1, line 22, overstrike "marshal" and insert immediately thereafter "official"

Page 2, line 5, overstrike the colon

Page 2, overstrike lines 6 through 11

Page 2, line 12, overstrike "contractors;"

Page 2, line 12, remove "and"

Page 2, line 13, overstrike "e. One representative appointed by the associated general contractors"

Page 2, line 14, after "rule" insert "the state building code advisory committee"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1468: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1468 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3025: Education Committee (Rep. Nathe, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3025 was placed on the Tenth order on the calendar.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. M. Nelson, Bellew introduced:

**HCR 3032:** A concurrent resolution to amend and reenact section 18 of article X of the Constitution of North Dakota, relating to constitutional authorization for the legislative assembly to provide by law for direct payments to North Dakota residents.

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**

