

JOURNAL OF THE HOUSE

Sixty-third Legislative Assembly

* * * * *

Bismarck, March 7, 2013

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

The prayer was offered by Pastor Larry Giese, Lord of Life Lutheran Church, Bismarck..

The roll was called and all members were present except Representatives Skarphol, Wall, and Williams.

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 Thirty-sixth, Thirty-seventh, and Thirty-eighth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 696, line 43, replace "Engrossed" with "Reengrossed"

Page 781, line 39, replace "Reengrossed" with "Engrossed"

Page 783, line 4, after "House" insert "would"

Page 783, line 4, remove ", which"

Page 783, line 5, remove "motion prevailed"

Page 823, line 15, after the first comma insert "and"

Page 823, line 15, remove ", and Thirty-seventh"

Page 823, remove line 31

Page 824, line 24, replace "6" with "7"

Page 824, line 49, remove "for the succeeding legislative day"

Page 825, line 4, replace "passed" with "failed to pass"

Page 825, line 9, replace "passed" with "failed to pass"

Page 832. line 3, replace "**MOTION**" with "**ANNOUNCEMENT**"

Page 832, line 4, replace "**MOVED** that the House will" with "**ANNOUNCED** that the House would"

Page 832, line 4, remove ", which motion"

Page 832, line 5, remove "prevailed."

Page 832, line 10, after "King" insert ", Jr."

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

MOTION

REP. VIGESAA MOVED that SB 2245 be returned to the House floor from the **Transportation Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

Pursuant to Rep. Vigesaa's motion, SB 2245 was rereferred.

MOTION

REP. VIGESAA MOVED that House Rule 508 regarding reporting of measures be amended temporarily and the deadline be moved from the forty-second legislative day to the forty-seventh legislative day, which motion prevailed.

MOTION

REP. VIGESAA MOVED that Joint Rule 203(2) be amended temporarily and the deadline be moved from the forty-fifth legislative day to the fiftieth legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2055: A BILL for an Act to amend and reenact subsection 6 of section 49-21-01.7 of the North Dakota Century Code, relating to delivery of bills for public service commission expenses.

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, 1 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; 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.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Zaiser; Speaker Devlin

NAYS: Nelson, M.

ABSENT AND NOT VOTING: Skarphol; Wall; Williams

SB 2055 passed.

SECOND READING OF SENATE BILL

SB 2057: A BILL for an Act to amend and reenact section 6-09.4-10 of the North Dakota Century Code, relating to the reserve fund for public finance authority bonds.

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 69 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Belter; Boehning; Boschee; Carlson; Damschen; Delmore; Dockter; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Looyesen; Louser; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Paur; Porter; Rust; Sanford; Silbernagel; Steiner; Strinden; Sukut; Toman; Trottier; Vigesaa; Weisz; Zaiser; Speaker Devlin

NAYS: Bellew; Boe; Brabandt; Brandenburg; Delzer; Dosch; Grande; Hanson; Headland; Koppelman, B.; Larson; Meier; Nelson, M.; Owens; Pollert; Rohr; Ruby; Schatz; Schmidt; Streyle; Thoreson; Wieland

ABSENT AND NOT VOTING: Skarphol; Wall; Williams

SB 2057 passed.

SECOND READING OF SENATE BILL

SB 2058: A BILL for an Act to create and enact a new subsection to section 57-39.2-23 of the North Dakota Century Code, relating to the disclosure of confidential tax information to the unclaimed property division; and to amend and reenact subsection 2 of section 47-30.1-30 and subsection 6 of section 57-38-57 of the North Dakota Century Code, relating to contracting for in-state unclaimed property examinations and the disclosure of confidential tax information to the unclaimed property division.

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; 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; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Skarphol; Wall; Williams

Engrossed SB 2058 passed.

SECOND READING OF SENATE BILL

SB 2086: A BILL for an Act to amend and reenact subdivision c of subsection 4 of section 27-20-30.1 of the North Dakota Century Code, relating to foster care providers.

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; 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; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Skarphol; Wall; Williams

SB 2086 passed.

SECOND READING OF SENATE BILL

SB 2090: A BILL for an Act to amend and reenact section 57-39.2-02.1, subsections 22 and

35 of section 57-39.2-04, sections 57-39.2-08.2 and 57-40.2-02.1, and subsections 10 and 18 of section 57-40.2-04 of the North Dakota Century Code, relating to sales and use tax on manufactured homes; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 2 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; 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, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Zaiser; Speaker Devlin

NAYS: Glasheim; Nelson, J.

ABSENT AND NOT VOTING: Skarphol; Wall; Williams

Engrossed SB 2090 passed.

SECOND READING OF SENATE BILL

SB 2092: A BILL for an Act to amend and reenact subsection 8 of section 57-40.3-04 of the North Dakota Century Code, relating to the motor vehicle excise tax exemption for certain motor vehicles in the possession of and used by permanently physically disabled persons.

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, 1 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; Glasheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; 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; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Zaiser; Speaker Devlin

NAYS: Hofstad

ABSENT AND NOT VOTING: Skarphol; Wall; Williams

Engrossed SB 2092 passed.

SECOND READING OF SENATE BILL

SB 2093: A BILL for an Act to amend and reenact section 57-01-15 of the North Dakota Century Code, relating to the use of tax information by the tax commissioner to enforce the tax laws in title 57.

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; 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; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Skarphol; Wall; Williams

SB 2093 passed.

SECOND READING OF SENATE BILL

SB 2110: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and a new section to chapter 43-23.3 of the North Dakota Century Code, relating to criminal history record checks of appraisers.

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 79 YEAS, 12 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boehning; Boschee; Brabandt; Damschen; Delmore; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; 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, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Steiner; Strinden; Sukut; Toman; Trottier; Vigesaa; Weisz; Zaiser; Speaker Devlin

NAYS: Boe; Brandenburg; Carlson; Delzer; Grande; Hawken; Kasper; Nelson, J.; Rohr; Streyle; Thoreson; Wieland

ABSENT AND NOT VOTING: Skarphol; Wall; Williams

SB 2110 passed.

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, March 8, 2013, which motion prevailed.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1047, HB 1049, HB 1062, HB 1064, HB 1065, HB 1066, HB 1095, HB 1100, HB 1104, HB 1122, HB 1123, HB 1146, HB 1229, HB 1268, HCR 3001.

REPORT OF STANDING COMMITTEE

SB 2081, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2081 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2083: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2083 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "three"

Page 1, line 8, replace "Two" with "Three"

Page 1, after line 14, insert:

"A person licensed or registered under another chapter of this title and carrying out the therapy or practice for which the person is licensed or registered."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2184, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2184 was placed on the Fourteenth order on the calendar.

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

Buell J. Reich, Chief Clerk