

**JOURNAL OF THE SENATE**

**Sixty-third Legislative Assembly**

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**Bismarck, March 29, 2013**

The Senate convened at 10:00 a.m., with President Wrigley presiding.

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

The roll was called and all members were present except Senator Burckhard.

A quorum was declared by the President.

**MOTION**

**SEN. KLEIN MOVED** that Engrossed HB 1197 be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1197 was rereferred.

**CONSIDERATION OF AMENDMENTS**

**HB 1038, as reengrossed: SEN. J. LEE (Human Services Committee) MOVED** that the amendments be adopted and then be **REFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1023, as engrossed and amended: SEN. G. LEE (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1023:** A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Engrossed HB 1023, as amended, passed and the emergency clause was declared carried.

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**CONSIDERATION OF AMENDMENTS**

**HB 1017, as engrossed and amended: SEN. WANZEK (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1017:** A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Engrossed HB 1017, as amended, passed.

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### SECOND READING OF HOUSE BILL

**HB 1163:** A BILL for an Act to amend and reenact paragraph 7 of subdivision b of subsection 10 of section 65-01-02 of the North Dakota Century Code, relating to workers' compensation definitions of compensable injury; and to provide for application.

### 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 27 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Berry; Bowman; Campbell; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Klein; Krebsbach; Laffen; Larsen; Luick; Miller; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

**NAYS:** Axness; Carlisle; Dotzenrod; Grabinger; Heckaman; Kilzer; Lee, G.; Lee, J.; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Sinner; Triplett; Warner

**ABSENT AND NOT VOTING:** Burckhard

HB 1163, as amended, passed.

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### SECOND READING OF HOUSE BILL

**HB 1117:** A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota Century Code, relating to consumer assistance records received by the insurance commissioner.

### 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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Engrossed HB 1117, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1133:** A BILL for an Act 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

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

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**SECOND READING OF HOUSE BILL**

**HB 1458:** A BILL for an Act to amend and reenact sections 5-01-08.1 and 5-01-09 of the North Dakota Century Code, relating to the penalty for delivery of alcohol to an underage individual; 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 5 YEAS, 41 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Kilzer; Larsen; Luick

**NAYS:** Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Engrossed HB 1458 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1389:** A BILL for an Act to create and enact chapter 43-23.5 of the North Dakota Century Code, relating to appraisal management company regulation; to amend and reenact the new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code as created by section 1 of Senate Bill No. 2110, as approved by the sixty-third legislative assembly, relating to criminal history background checks; to provide a penalty; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook;

Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Engrossed HB 1389 passed.

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### SECOND READING OF HOUSE BILL

**HB 1135:** A BILL for an Act to provide an appropriation to the state department of health for a mobile dental care services grant.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Engrossed HB 1135 passed.

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### SECOND READING OF HOUSE BILL

**HB 1439:** A BILL for an Act to provide an appropriation for a transfer from the general fund to the veterans' postwar trust fund.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Reengrossed HB 1439 passed.

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### SECOND READING OF HOUSE BILL

**HB 1209:** A BILL for an Act to amend and reenact section 50-24.5-10 of the North Dakota Century Code, relating to compensation for top management personnel of basic care facilities.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

HB 1209 passed.

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#### **SECOND READING OF HOUSE BILL**

**HB 1272:** A BILL for an Act to amend and reenact section 15-10-19.1 of the North Dakota Century Code, relating to resident tuition for spouses and dependents of veterans.

#### **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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Engrossed HB 1272, as amended, passed.

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#### **SECOND READING OF HOUSE BILL**

**HB 1289:** A BILL for an Act to provide an appropriation for veterans' higher education assistance programs.

#### **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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Reengrossed HB 1289, as amended, passed.

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#### **SECOND READING OF HOUSE BILL**

**HB 1360:** A BILL to provide for the funding of the program of all-inclusive care for the elderly within the department of human services appropriation.

#### **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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Burckhard

Engrossed HB 1360, as amended, passed.

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### SECOND READING OF HOUSE BILL

**HB 1426:** A BILL for an Act to create and enact a new section to chapter 6-09.4 of the North Dakota Century Code, relating to a credit enhancement program for political subdivision infrastructure funding; 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 2 YEAS, 44 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Hogue; Wardner

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Warner

**ABSENT AND NOT VOTING:** Burckhard

Reengrossed HB 1426 failed.

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### SECOND READING OF HOUSE BILL

**HB 1368:** A BILL for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to travel expenses for state employees.

### 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 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Flakoll; Laffen

**ABSENT AND NOT VOTING:** Burckhard

Reengrossed HB 1368, as amended, passed.

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### POINT OF PERSONAL PRIVILEGE

**SEN. MARCELLAIS** rose on a point of personal privilege.

### REMARKS OF SENATOR MARCELLAIS

**MR. PRESIDENT:** It is an honor today to speak on the anniversary of the Vietnam Era

Conflict. During the Sixty-first Legislative Assembly, SB 2192 was introduced to designate March 29th as Vietnam Veterans' Day. Each year the Governor shall issue a proclamation on March 29th in honor and remembrance of surviving and departed Vietnam Veterans, including the 198 soldiers from North Dakota whose names are listed on the Vietnam Veterans' Memorial Wall in Washington, DC, and those veterans who are or were Missing in Action or Prisoners of War.

There were 2.59 million American Veterans that served in country during the Vietnam Era conflict. I want to ask everyone to take a moment of silence to remember the 58,282 Vietnam Veterans Killed in Action and the more than 2,646 Americans who remain unaccountable from the conflict.

Some of the facts from the Vietnam Era Conflict include: 91% of Vietnam Veterans say they are glad they served; 745 of Vietnam Veterans said they would serve again, even knowing the results; five Americans killed in Vietnam were only 16 years of age; the oldest American killed in Vietnam was 62 years of age; without the helicopter, it would have taken three times as many troops to secure the 800 mile border along Cambodia and Laos; the Domino Theory was accurate, the Asian countries of the Philippines, Indonesia, Malaysia, Singapore and Thailand stayed free of Communism because of the United States commitment to Vietnam; one out of every ten Americans who served in Vietnam was a casualty; 75,000 Vietnam Veterans were severely disabled; Vietnam Veterans were the best educated forces our nation has ever been sent to combat, 79% had a high school education or better; 87% of Americans hold Vietnam Veterans in high esteem; the American military did not lose one major battle during our entire involvement, including Tet 68, which was a major military defeat for the Viet Cong (VC) and North Vietnam Army (NVA); the fall of Saigon happened two years after the American military left Vietnam, we fought to an agreed stalemate in 1973; there were almost twice as many casualties in Southeast Asia after the fall of Saigon in 1975 than there were during the ten years the United States was involved in Vietnam, in essence, the Peace Movement "killed" more people than the United States did in Vietnam; there were 151 Medal of Honor recipients; there were eight females killed in Vietnam; following the Paris Peace Accords of 1973, 591 American Prisoners of War (POWs) were returned during Operation Homecoming.

The United States listed about 1,350 Americans as Prisoners of War or Missing in Action, and roughly 1,200 Americans were reported Killed in Action and Body Not Recovered. The National League of Families created the Prisoner of War and Missing in Action (POW/MIA) flag in 1971 when the war was still in progress.

### "River of Tears"

by Mike Birdwell

It has been many years  
And a river of tears,  
Since the last gold star mom  
Lost her son in Vietnam.

But memories still last,  
Most won't talk when asked  
About the war we lost  
At far too great a cost

Many had never been far from home  
Until they wound up in a free fire zone,  
Halfway around the world alone  
They realized there is no place like home

They proudly represented the home of the brave,  
Though most had just begun to shave  
They answered the United States of America's call,  
So their allies freedom would not fall

They fought from Saigon  
To the DMZ  
Thousands were killed  
By an enemy they could not see

This war wasn't fought  
Like the ones on TV  
Land mines, snipers, and booby traps  
Were the tools of the enemy

The lucky ones returned home in a year  
And thought they had no more to fear  
Most were very young and believed,  
The nation's thanks they would receive

But the nation turned their backs  
On these brave men and women  
Most would never be the same again

They had done their duty  
No matter what the cost  
But they shouldered the blame  
Because the war was lost

So their story was never told  
They locked it inside  
They had survived the war  
But their ideals had died

These men and women learned a lesson  
In that foreign land  
They learned the greatest of all Commandments  
Love they fellow man and woman

In closing, I want to thank my Vietnam Veterans for serving the United States of America and I want to wish all Vietnam Veteran Brothers and Sisters a welcome home, which they never received.

Thank you, God Bless America, God Bless the great state of North Dakota and God Bless all our veterans that served.

#### REQUEST

**SEN. SCHNEIDER REQUESTED** that the remarks of Sen. Marcellais be printed in the Journal, which request was granted.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1191, HB 1260, HB 1340, HB 1363, HB 1454, HB 1459.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause failed, unchanged: HB 1283.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1166, HB 1241.

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

**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1215.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1037.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1183, HB 1366.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2250, SB 2265, SB 2375.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SCR 4002, SCR 4007, SCR 4015, SCR 4019, SCR 4022, SCR 4023.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2030, SB 2113, SB 2114, SB 2115, SB 2128, SB 2160, SB 2164, SB 2165, SB 2166, SB 2180, SB 2225, SB 2244, SB 2340, SB 2361.

#### **HOUSE AMENDMENTS TO SENATE BILL NO. 2030**

Page 1, line 3, remove "; and to"

Page 1, line 4, remove "provide an appropriation"

Page 4, remove lines 30 and 31

Page 5, remove lines 1 through 3

Re-number accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2113**

Page 2, line 12, replace "are" with "is"

Page 2, line 12, remove "Without the permission of"

Page 2, remove lines 13 through 31

Re-number accordingly

#### **HOUSE AMENDMENTS TO SENATE BILL NO. 2114**

Page 1, line 3, after "assistance" insert "; and to provide a penalty"

Page 1, line 16, replace "ten thousand dollars for" with "twenty-five percent of the amount the department was induced to pay as a result of"

Page 1, line 18, after the underscored period insert "A provider, an affiliate of a provider, or any combination of provider and affiliates, is liable to the department for up to five thousand dollars on each act of fraud or abuse which did not induce the department to make an erroneous payment. This sanction is in addition to the applicable rules established by the department."

4."

Page 1, line 22, replace "4." with "5."

Page 2, line 3, replace "5." with "6."

Page 3, line 11, replace "6." with:

7. Determinations of medical necessity may not lead to imposition of remedies, duties, prohibitions, and sanctions under this section.

8."

Page 3, line 14, replace "7." with "9."

Re-number accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2115**

Page 2, line 14, replace "determined by the agency to which the records are submitted" with "formally declared by the submitting person upon submission"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2128**

Page 1, line 2, replace the first "section" with "sections"

Page 1, line 2, after "24-01-25" insert ", 35-22-16, 35-22-17, 35-22-18, and 35-22-19"

Page 1, line 3, remove "to repeal section 35-22-19 of"

Page 1, line 4, remove "the North Dakota Century Code, relating to a failure to record in a foreclosure;"

Page 1, line 11, after "seven" insert "twenty dollars for twenty lots or fewer and"

Page 1, line 11, after "dollars" insert "for more than twenty lots"

Page 1, line 15, remove the overstrike over "~~No fees~~"

Page 1, line 15, remove "The county auditor"

Page 1, line 15, remove the overstrike over "~~be charged or collected by the county auditor~~"

Page 1, line 15, remove "not charge or"

Page 1, line 16, remove "collect from the state of North Dakota"

Page 1, after line 18, insert:

**"SECTION 3. AMENDMENT.** Section 35-22-16 of the North Dakota Century Code is amended and reenacted as follows:

**35-22-16. Affidavit of publication recorded - Effect of in evidence.**

The affidavit of publication must be recorded ~~at length by~~ in the office of the recorder of the county in which the real property is situated in a record kept for mortgages. The original affidavit, the record thereof, and certified copies of the record are prima facie evidence of the facts contained in the record.

**SECTION 4. AMENDMENT.** Section 35-22-17 of the North Dakota Century Code is amended and reenacted as follows:

**35-22-17. ~~Recorder to mail copy~~ Copy of affidavit of publication to be mailed.**

~~The recorder, within~~ Within ten days after the filing of the affidavit of publication of the notice of mortgage foreclosure in any foreclosure of a real estate mortgage by advertisement, ~~shall send, by registered or certified mail,~~ a copy of the affidavit of publication must be mailed by certified mail to the record title owner and to every subsequent mortgagee whose mortgage appears on record, addressed to the person at the post office shown of record in the recorder's office. If no post-office address appears of record ~~and it is unknown to the recorder,~~ the copy must be addressed to the post office located nearest to the land described in the certificate of sale.

**SECTION 5. AMENDMENT.** Section 35-22-18 of the North Dakota Century Code is amended and reenacted as follows:

**35-22-18. Recorder to make affidavit**~~Affidavit~~ of mailing - Recordation.

~~The recorder shall make an~~An affidavit setting forth the time and manner of the mailing of the copy of the affidavit of publication, the description of the land, and the name and post-office address of the person or persons to whom the affidavit of publication was mailed, ~~and shall attach thereto the registry receipt or receipts, and the affidavit and registry receipt or receipts must be filed and recorded in the recorder's office.~~

**SECTION 6. AMENDMENT.** Section 35-22-19 of the North Dakota Century Code is amended and reenacted as follows:

**35-22-19. Failure of recorder to mail notices - Liability.**

The failure of the recorder to comply with the provisions of sections 35-22-17 and 35-22-18 in no way invalidates the foreclosure proceedings nor affects the title to the property involved, but such failure renders the recorder~~state~~ liable in a civil action to the person entitled to a copy of the affidavit of publication herein described for any damage sustained by the person by reason of such failure."

Page 1, line 21, replace "individual or entity" with "person"

Page 2, remove line 1

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2160**

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 professional student exchange programs.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - PROFESSIONAL STUDENT EXCHANGE PROGRAMS.** During the 2013-14 interim, the legislative management shall consider studying out-of-state programs in veterinary medicine, optometry, and dentistry and in particular the accessibility of North Dakota students to the programs; the provision of state funding for students attending the programs; the amount of debt incurred by students attending the programs; and the state's short-term and long-term needs for dentists, optometrists, and veterinarians. 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

**HOUSE AMENDMENTS TO SENATE BILL NO. 2164**

Page 1, line 8, after "representative" insert "and any attorney of record for the estate"

Page 1, line 11, remove "and any attorney of record for the estate"

Renumber accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2165**

Page 1, line 11, after the first "property" insert "for value"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2166**

Page 1, line 15, after "pendens" insert "as provided in chapter 28-05 must be"

Renumber accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2180**

Page 1, after line 17, insert:

- "3. A township's building permit application form must include a statement that if the building or structure for which the permit is requested meets all applicable zoning regulations and the board of township supervisors or other appropriate official fails to respond within sixty days of receiving the application, the application is deemed approved. Upon receipt of a building permit application, a township shall note on the application the date of receipt and shall provide a copy of the submitted application to the applicant with the date of receipt noted."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2225**

Page 1, line 14, remove the overstrike over "~~licensed by recognized denominations pursuant to chapter 10-33~~"

Renumber accordingly

**HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2244**

Page 1, line 1, remove "an appropriation to the department of human services for early"

Page 1, line 2, remove "childhood services inclusion support services and grants; and to provide"

Page 1, line 3, after "study" insert "relating to child care services"

Page 1, remove lines 5 through 18

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2340**

Page 1, line 1, replace "drug" with "nonviolent"

Page 1, line 4, replace "**DRUG**" with "**NONVIOLENT**"

Page 1, line 6, remove "drug"

Renumber accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2361**

Page 1, line 3, after "for" insert "an evaluation of the student loan consolidation program by"

Page 1, line 3, remove "to evaluate the program"

Page 1, line 8, remove "student loan consolidation program that allows the agency to"

Page 1, remove line 9

Page 1, line 10, after "for" insert "the"

Page 1, line 10, remove "as a"

Page 1, line 11, replace "rural physician, the applicant" with "under this section, an individual"

Page 1, line 12, remove "shall work as"

Page 1, line 12, after the second "a" insert "practicing"

Page 1, line 12, replace "community in the state which has" with "city in this state having"

Page 1, line 13, replace "two" with "four"

Page 1, line 14, after "**DAKOTA**" insert "**STUDENT**"

Page 1, line 14, after "**PROGRAM**" insert "**- EVALUATION**"

Page 1, line 15, after "program" insert "established in section 1 of this Act"

Page 1, line 16, remove "beyond the rural physician student loan consolidation"

Page 1, line 17, replace "program. If legislation is necessary to expand the program," with ".  
If expansion is determined to be desirable,"

Page 1, line 18, replace "for introduction a bill" with "the necessary legislation"

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2032, SB 2342.

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2032**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 15-10-14.2 of the North Dakota Century Code, relating to a performance and accountability report by the state board of higher education; and to provide for a performance audit.

#### **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 15-10-14.2 of the North Dakota Century Code is amended and reenacted as follows:

#### **15-10-14.2. Higher education system strategic plan - ReportsAnnual report - Performance and accountability.**

1. ~~The state board of higher education shall adopt a strategic planning process and develop a strategic plan to define and prioritize university system~~ the goals and objectives of the North Dakota university system.
2. ~~The board shall provide an annual performance and accountability report regarding the system's performance and progress toward the goals outlined in the university system's strategic plan and accountability measures.~~
  - 2- ~~The state board of higher education shall report to the legislative assembly during each regular legislative session regarding the status of higher education in this state~~ strategic plan. The report must include:
    - a. Data regarding the retention rates of students between the fall and spring semesters at the institutions in which the students were initially enrolled;
    - b. Data regarding the retention rates of students between the fall and spring semesters at any institution within the university system;
    - c. (1) Data regarding the number of students awarded degrees, certificates, or diplomas at each institution during an academic year; and
    - (2) A comparison of the data required by this subdivision with that of peer institutions;

- d. Information regarding each institution's progress toward meeting its goals and the implementation steps and timelines outlined in the university system's strategic plan;
  - e. Data regarding the number of students that initially enroll at a two-year institution and obtain a certificate or diploma within three years of enrollment;
  - f. Data regarding the number of students that initially enroll at a four-year institution and obtain a degree:
    - (1) Within four years of enrollment;
    - (2) Within four to five years of enrollment; and
    - (3) Within six years of enrollment;
  - g. Data regarding the number of students that are eligible for Pell grants and:
    - (1) Initially enroll at a two-year institution and obtain a certificate or diploma within three years of enrollment;
    - (2) Initially enroll at a two-year institution and obtain a certificate or diploma within three to four years of enrollment; or
    - (3) Initially enroll at a four-year institution and obtain a degree within four to six years of enrollment; and
  - h. Data regarding the number of students that are not eligible for Pell grants and:
    - (1) Initially enroll at a two-year institution and obtain a certificate or diploma within three years of enrollment;
    - (2) Initially enroll at a two-year institution and obtain a certificate or diploma within three to four years of enrollment; or
    - (3) Initially enroll at a four-year institution and obtain a degree within four to six years of enrollment.
3. a. The report required by subsection 2 must categorize the required information by resident and nonresident students at each institution within the university system and must compare the information to national benchmarks.
- b. Individuals who are enrolled in personal enrichment courses for which credit is not offered and individuals who audit courses are not eligible to be counted as students for purposes of this report.

**SECTION 2. PERFORMANCE AUDIT.** During the 2013-14 interim, the state auditor shall examine the accountability and performance measures established for the North Dakota university system to determine if they allow for a sufficient, objective, and systemic assessment of economies, efficiencies, and structural effectiveness."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2342**

Page 1, line 3, remove "43-15.3-05,"

Page 4, line 3, remove the underscored comma

Page 4, line 4, remove "medical gas, or medical equipment"

Page 4, line 5, remove "medical gas, or medical equipment."

Page 4, line 10, remove ". gas, or equipment"

Page 4, line 12, remove ". gas, or equipment"

Page 4, line 16, remove ". gas, or equipment"

Page 4, line 20, remove ". gas, or equipment"

Page 5, line 8, overstrike the comma

Page 5, line 8, remove "medical gas, or"

Page 5, line 9, remove "medical equipment"

Page 15, remove lines 23 through 31

Page 16, remove lines 1 through 31

Page 17, remove lines 1 through 5

Page 24, line 5, after the underscored period insert "A durable medical equipment retailer may only obtain medical equipment from a manufacturer or wholesaler that is duly licensed by the state."

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2085.

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2085**

Page 1, line 4, after "board" insert "; and to declare an emergency"

Page 6, after line 4, insert:

**"SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2031, SB 2066, SB 2241, SB 2254, SB 2256, SB 2295.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2196, SB 2240, SB 2366, SB 2370.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2368:** Reps. Weisz; Silbernagel; Oversen

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1046, HB 1097, HB 1172, HB 1176, HB 1320.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HCR 3014, HCR 3022, HCR 3023, HCR 3025, HCR 3030.

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

**MR. SPEAKER:** The President has signed: SB 2083, SB 2089, SB 2106, SB 2107, SB 2134, SB 2135, SB 2145, SB 2147, SB 2161, SB 2172, SB 2178, SB 2266, SB 2271, SB 2337.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1084, HB 1129, HB 1154, HB 1225, HB 1228, HB 1253, HB 1270, HB 1292, HB 1301, HB 1350, HB 1357, HB 1359, HB 1372.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on March 28, 2013, I have signed the following: SB 2190.

**MOTION**

**SEN. KLEIN MOVED** that the absent member be excused, which motion prevailed.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, April 1, 2013, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1024, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1024 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1033, as reengrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1033 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the second "to provide"

Page 1, line 3, remove "legislative intent;"

Page 1, line 16, replace "Each" with "Unless waived by the department, each"

Page 2, remove lines 8 through 12

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1126, as engrossed: Transportation Committee (Sen. Oehlke, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1126 was placed on the Sixth order on the calendar.

Page 2, line 2, replace "mechanic certified by an industry-recognized certificate who" with "licensed new or used motor vehicle dealer with publicly offered motor vehicle repair services. The dealer completing the certificate of inspection may not be the dealer who reconstructed the vehicle and"

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1130, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1130 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 amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to computerized issuance of game and fish licenses.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 20.1-03-17 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-03-17. Issuance of licenses - Who to issue - County auditor may appoint agents to receive service fees - Disposition of proceeds - Continuing appropriation.**

All hunting, fur-bearer, fishing, and taxidermists' licenses must be issued by county auditors, the director, deputy director, and bonded game wardens. The county auditors, deputy director, and each bonded game warden shall send the director all license fees. For each license the county auditor issues, the county auditor shall collect the authorized charges and record them in the county auditor's record of cash received. Unless the county auditor and the board of county commissioners execute a written agreement providing for the disposition of compensation for the issuance of licenses, the county auditor is entitled to be reimbursed, as compensation, twenty-five cents for the issuance of each of the first one thousand resident hunting, fishing, or fur-bearer licenses issued each year and fifteen cents for the issuance of each resident hunting, fishing, or fur-bearer license issued in excess of the first one thousand licenses issued each year; one dollar for the issuance of each nonresident hunting or fur-bearer license; twenty-five cents for the issuance of each nonresident fishing license; and ten cents for the issuance of each nonresident general game license. The compensation due for the issuance of licenses is hereby appropriated as a standing and continuing appropriation from the game and fish fund for the purposes of this section. By March 1, 2015, each county auditor shall implement a computerized online licensing system approved by the department. The county auditor is responsible for any equipment, supplies, and technical support associated with selling licenses online.

The county auditor may appoint agents to distribute hunting and fishing licenses or stamps. A county auditor may not provide hunting or fishing licenses to agents located outside this state, but the director may provide licenses to agents located outside this state if there are no agents located a reasonable distance within this state where nonresidents may obtain licenses. The director and county auditor may require agents to show evidence of adequate financial security before the agents are appointed. Adequate financial security may be evidenced by a letter of credit, cash deposit, or bond. Agents may be bonded through the state bonding fund. The agents may charge purchasers a service fee of fifty cents for each license. Service fees may be retained by the agent. The agent shall return the remainder of the license fees to the county auditor for deposit with the county treasurer, or to the director if the agent is appointed by the director, at least once each month, and not later than three days after the close of the month. Notwithstanding section 26.1-21-11, if a claim against the state bonding fund is not filed within sixty days of the expiration of the reporting period provided in this section, the claim is waived. Deposits are to be accompanied by a report showing the amounts received from the sale of each type of license, the amount retained, and the net amounts deposited. The county treasurer shall credit the fees so deposited to a separate account and shall hold the fees, subject to warrant for payment thereof drawn by the county auditor in favor of the director. The director shall deposit all license or stamp fees received with the state treasurer to be credited to the game and fish fund. By March 1, 2016, each agent appointed by a county auditor to distribute hunting and fishing licenses or stamps shall implement a computerized online licensing system approved by the department. The agent is responsible for any equipment, supplies, and technical support associated with selling licenses online."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1131, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1131 was placed on the Sixth order on the calendar.

Page 1, line 12, remove the overstrike over "if"

Page 1, line 12, remove "unless"

Page 1, line 12, remove "or subsequent"

Page 1, line 13, remove the overstrike over "~~does not occur on or before the opening date of~~"

Page 1, line 13, remove "occurs in the same year as"

Page 1, line 14, after "~~that~~" insert ", but"

Page 1, line 14, remove the overstrike over "~~an individual who is~~"

Page 1, remove the overstrike over line 15

Page 1, line 16, remove the overstrike over "~~during the regular deer hunting season may hunt during the youth deer season~~"

Page 1, line 20, remove "or thirteenth"

Page 1, line 20, remove the overstrike over "~~on or before the opening~~"

Page 1, line 21, remove the overstrike over "~~date of or during the~~"

Page 1, line 21, remove "in the same year as a"

Page 1, line 21, remove the overstrike over "~~but is~~"

Page 1, line 22, remove the overstrike over "~~younger than fourteen years of age~~"

Page 2, line 1, remove "or thirteenth"

Page 2, line 1, remove the overstrike over "~~on or before the opening~~"

Page 2, line 2, remove the overstrike over "~~date of or during the~~"

Page 2, line 2, remove "in the same year as an"

Page 2, line 2, remove the overstrike over "~~but is~~"

Page 2, line 3, remove the overstrike over "~~younger than fourteen years of age~~"

Page 3, line 11, replace "hold" with "holds"

Page 3, line 11, replace "one" with "three"

Page 3, line 12, remove "fifty"

Page 3, line 12, replace "60.70" with "121.41"

Page 3, line 18, replace "one" with "three"

Page 3, line 18, remove "fifty"

Page 3, line 18, replace "60.7028" with "121.41"

Page 3, line 23, replace "subsection" with "subdivision"

Page 3, line 29, replace "subsections" with "subdivisions"

Page 4, line 3, replace "subsections" with "subdivisions"

Page 4, line 6, replace "subsection" with "subdivision"

Page 4, line 7, replace "subsection" with "subdivision"

Page 4, line 8, replace "subsections" with "subdivisions"

Page 4, line 10, replace "subsections" with "subdivisions"

Page 4, line 14, replace "subsections" with "subdivisions"

Page 4, line 15, remove "on or"

Page 4, line 15, after the first "the" insert "end"

Page 4, line 15, remove "application deadline for"

Page 4, line 16, replace "lottery" with "season"

Page 4, line 16, replace "as" with "an"

Page 4, line 16, after the second "deer" insert "license"

Page 4, line 16, remove "Applications for license issued"

Page 4, remove lines 17 and 18

Page 4, line 28, replace "one" with "three"

Page 4, line 28, remove "fifty"

Page 4, line 28, replace "60.78" with "121.41"

Page 4, line 30, replace "one" with "three"

Page 4, line 30, remove "fifty"

Page 4, line 30, replace "60.78" with "121.41"

Page 6, line 7, replace "one" with "three"

Page 6, line 7, remove "fifty"

Page 6, line 7, replace "60.78" with "121.41"

Page 6, line 9, replace "one" with "three"

Page 6, line 9, remove "fifty"

Page 6, line 9, replace "60.78" with "121.41"

Page 7, line 9, replace "one" with "three"

Page 7, line 9, remove "fifty"

Page 7, line 9, replace "60.78" with "121.41"

Page 7, line 11, replace "one" with "three"

Page 7, line 11, remove "fifty"

Page 7, line 11, replace "60.78" with "121.41"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1141: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT**

**PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1141 was placed on the Sixth order on the calendar.

Page 2, line 4, after "is" insert "not a personal watercraft and is"

Page 2, line 4, after "mirror" insert "at least seventy-eight square inches [198.12 square centimeters]"

Page 2, line 5, replace "a" with "an unobstructed"

ReNUMBER accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1149, as engrossed: Agriculture Committee (Sen. Miller, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1149 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "materials" with "chemical, oil, gas, and saltwater"

Page 1, line 9, replace "materials" with "chemicals"

Page 1, line 9, after "37-17.1-07.1" insert ", oil, gas, and saltwater"

Page 1, line 18, after "agency" insert "as required by law"

Page 2, line 1, remove "Hazardous"

Page 2, remove lines 2 through 14

ReNUMBER accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1193, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1193 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1200, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1200 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1206, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1206 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1246, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1246 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1249, as reengrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1249 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1251, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1251 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "five" with "four"

Page 1, line 14, replace "ten" with "nine"

Page 2, line 9, replace "five" with "four"

Page 2, line 9, replace "ten" with "nine"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1286, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1286 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "public" with "school district"

Page 1, line 7, replace "Voter" with "School district voter"

Page 1, line 9, remove "municipality or governing body of a"

Page 1, line 10, replace "municipality" with "school board"

Page 1, line 11, replace "municipality" with "school district"

Page 1, line 13, after "structure" insert "at a total cost of four million dollars or more"

Page 1, line 14, replace "municipality" with "school district"

Page 1, line 15, replace "at least sixty percent" with "a majority"

Page 1, line 15, replace "municipality" with "school district"

Page 1, line 15, after "question" insert "at a regular or special school district election"

Page 1, line 17, replace "municipality" with "school district"

Page 1, line 18, after "acquisition" insert ", improvements."

Page 1, line 18, replace "municipality" with "school district"

Page 1, line 18, remove "The"

Page 1, remove lines 19 through 21

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1310: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1310 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1312, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1312 was placed on the Sixth order on the calendar.

Page 1, remove lines 22 and 23

Page 2, remove lines 1 and 2

Page 2, line 8, remove "shall have access to the Missouri River correctional"

Page 2, line 9, remove "center site prior to the transfer of all remaining land and"

Page 2, line 10, remove "The game and fish department shall work with"

Page 2, remove line 11

Page 2, line 12, remove "correctional center property."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1333, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1333, as amended, was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1337: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1337 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1361: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1361 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1401: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1401 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1467, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1467 was placed on the Fourteenth order on the calendar.

The Senate stood adjourned pursuant to Senator Klein's motion.

**William R. Horton, Secretary**