

## JOURNAL OF THE HOUSE

## Sixty-third Legislative Assembly

\* \* \* \* \*

Bismarck, March 28, 2013

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

The prayer was offered by Sister Ivo Schoch, Church of Corpus Christi, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Fifty-fourth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1075, line 28, replace "Flod" with "Flood"

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

## SIXTH ORDER OF BUSINESS

**SPEAKER DEVLIN DEEMED** approval of the amendments to SB 2030, Engrossed SB 2032, Engrossed SB 2160, SB 2180, SB 2214, Engrossed SB 2267, Reengrossed SB 2269, Engrossed SB 2342, and SB 2361.

SB 2214, Engrossed SB 2267, and Reengrossed SB 2269, as amended, were rereferred to the **Appropriations Committee**.

SB 2030, Engrossed SB 2032, Engrossed SB 2160, SB 2180, Engrossed SB 2342, and SB 2361, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. VIGESAA MOVED** that Engrossed SB 2229, which is on the Sixth order, be rereferred to the **Education Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, Engrossed SB 2229 was rereferred.

## SIXTH ORDER OF BUSINESS

**SB 2244, as reengrossed: REP. LANING (Human Services Committee) MOVED** that the amendments on HJ page 1090 be adopted and then be placed on the Fourteenth order with **DO PASS**.

## REQUEST

**REP. OVERSEN REQUESTED** a recorded roll call vote, which request was granted.

## ROLL CALL

The question being on the motion to adopt the amendments to Reengrossed SB 2244, the roll was called and there were 57 YEAS, 36 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Becker; Bellew; Belter; Brandenburg; Damschen; Delzer; Dockter; Dosch; Drovdal; Fehr; Froseth; Headland; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyesen; Louser; Martinson; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams

**NAYS:** Amerman; Beadle; Boe; Boehning; Boschee; Brabandt; Carlson; Delmore; Frantsvog; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Hogan; Holman; Hunskor; Johnson, N.; Kelsh, J.; Kelsh, S.; Klein; Kreun; Maragos; Meier; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Strinden; Zaiser

**ABSENT AND NOT VOTING:** Speaker Devlin

The proposed amendments to Reengrossed SB 2244 were adopted on a recorded roll call vote.

#### ANNOUNCEMENT

**SPEAKER DEVLIN ANNOUNCED** that the record should reflect that he voted Yea on the motion to adopt the proposed amendments to Reengrossed SB 2244

#### MOTION

**REP. VIGESAA MOVED** that the rules be suspended, and that Reengrossed SB 2244 be placed on the Fourteenth order, as amended, for immediate second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2244:** A BILL for an Act to provide for a legislative management study relating to child care services.

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

**YEAS:** Amerman; Anderson; Beadle; Boe; Boschee; Damschen; Delmore; Dockter; Fehr; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Heilman; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Kelsh, J.; Kelsh, S.; Kiefert; Klemin; Koppelman, K.; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Sanford; Steiner; Thoreson; Wall; Weisz; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Dosch; Drovdal; Froseth; Grande; Hatlestad; Headland; Heller; Keiser; Kempenich; Klein; Koppelman, B.; Kreidt; Kretschmar; Kreun; Owens; Pollert; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Silbernagel; Skarphol; Streyle; Strinden; Sukut; Toman; Trotter; Vigesaa; Wieland

Reengrossed SB 2244, as amended, passed.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2250:** A BILL for an Act to create and enact a new section to chapter 23-12 of the North Dakota Century Code, relating to participation in the health information organization.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; 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, 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

**NAYS:** Nelson, J.

Engrossed SB 2250 passed.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

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

#### 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 43 YEAS, 51 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Beadle; Bellew; Belter; Boe; Boschee; Delmore; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Johnson, N.; Kasper; Kelsh, J.; Kelsh, S.; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kretschmar; Louser; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Sanford; Strinden; Wieland; Williams; Zaiser

**NAYS:** Anderson; Becker; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Drovda; Fehr; Froseth; Grande; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Karls; Keiser; Kempenich; Klein; Kreidt; Kreun; Laning; Larson; Looyesen; Meier; Nathe; Owens; Pollert; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Speaker Devlin

SB 2254 failed.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2256:** A BILL for an Act to provide for the establishment of a home visitation program for families with young children and for pregnant women.

#### 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 9 YEAS, 85 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Boe; Boschee; Hogan; Meier; Mock; Nelson, M.; Oversen; Strinden; Zaiser

**NAYS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovda; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; 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; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

Engrossed SB 2256 failed.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

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

**ROLL CALL**

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

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

SB 2265 passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2295:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the passthrough of the new and expanding business exemption; 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 37 YEAS, 57 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Boe; Boschee; Brandenburg; Damschen; Delmore; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Klemin; Kretschmar; Maragos; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Sanford; Strinden; Wall; Williams; Zaiser

**NAYS:** Anderson; Beadle; Becker; Bellew; Boehning; Brabandt; Carlson; Delzer; Dockter; Dosch; Drovdal; Fehr; Froseth; Grande; Hawken; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Larson; Looyesen; Louser; Martinson; Meier; Nathe; Paur; Pollert; Porter; Rohr; Ruby; Rust; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Wieland; Speaker Devlin

Engrossed SB 2295 failed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2085:** A BILL for an Act to amend and reenact sections 50-11.1-02, 50-11.1-02.2, and 50-11.1-15 of the North Dakota Century Code, relating to definitions used in early childhood services licensing, smoking on early childhood services premises, and the early childhood services advisory board; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

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

Engrossed SB 2085, as amended, passed and the emergency clause was declared carried.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2113:** A BILL for an Act to amend and reenact section 44-04-18.1 of the North Dakota Century Code, relating to confidentiality of emergency responder peer or group counseling session records relating to critical incident stress management.

### 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2113, as amended, passed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2114:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to sanctions against a provider who provides services under a provider agreement with medical assistance; and to provide a penalty.

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

**YEAS:** Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; 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; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Brabandt; Delzer; Fehr; Kreun; Nelson, M.; Ruby; Toman

SB 2114, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2115:** A BILL for an Act to amend and reenact section 44-04-18.4 of the North Dakota Century Code, relating to exemption of technical, financial, or marketing records.

**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 90 YEAS, 3 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; Fehr; Frantsvog; 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; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Froseth; Kretschmar; Nelson, M.

**ABSENT AND NOT VOTING:** Drovdal

Engrossed SB 2115, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2128:** A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 11-18-05, sections 24-01-25, 35-22-16, 35-22-17, 35-22-18, and 35-22-19, and subsection 2 of section 35-24-13 of the North Dakota Century Code, relating to fees and notice requirements of the county recorder; and to provide for a legislative management study.

**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; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal

Engrossed SB 2128, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2164:** A BILL for an Act to amend and reenact section 30.1-19-04 of the North Dakota Century Code, relating to presentation of claims to the personal representative.

**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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schatz

SB 2164, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2165:** A BILL for an Act to amend and reenact section 30.1-32.1-12 of the North Dakota Century Code, relating to transfer on death deeds.

**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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schatz

SB 2165, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2166:** A BILL for an Act to amend and reenact sections 28-05-09 and 35-27-25 of the North Dakota Century Code, relating to actions for construction liens and miner's liens; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schatz

Engrossed SB 2166, as amended, passed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2225:** A BILL for an Act to amend and reenact section 14-03-09 of the North Dakota Century Code, relating to the authority to solemnize marriages.

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schatz

Engrossed SB 2225, as amended, passed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2340:** A BILL for an Act to provide for a legislative management study of penalties for minor nonviolent crimes.

### ROLL CALL

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

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Larson

**ABSENT AND NOT VOTING:** Drovdal; Schatz

Engrossed SB 2340, as amended, passed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2031:** A BILL for an Act to create and enact a new section to chapter 23-35 of the North Dakota Century Code, relating to tribal health districts; to amend and reenact section 23-35-01, subsection 2 of section 23-35-03, subsection 1 of section 23-35-04, and sections 23-35-06, 23-35-07, and 23-35-08 of the North Dakota Century Code, relating to health districts; to provide for reports; 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 23 YEAS, 68 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Fehr; Frantsvog; Grande; Hatlestad; Hawken; 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; Martinson; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Maragos; Schatz

SB 2031 failed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2066:** A BILL for an Act to amend and reenact section 50-24.6-04 of the North Dakota Century Code, relating to prior authorization of antineoplastic agents.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 92 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**NAYS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schatz

Engrossed SB 2066 failed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2241:** A BILL for an Act to provide an appropriation to the department of human services; and to provide for a legislative management study.

**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 29 YEAS, 63 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

**ABSENT AND NOT VOTING:** Drovdal; Schatz

Engrossed SB 2241 failed.

\*\*\*\*\*

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on March 27, 2013, I have signed the following: HB 1034, HB 1036, HB 1058, HB 1062, HB 1064, HB 1077, HB 1087, HB 1088, HB 1089, HB 1092, HB 1094, HB 1101, HB 1104, HB 1108, HB 1110, HB 1214, HB 1224, HB 1229, HB 1230, HB 1243, HB 1252, HB 1264, HB 1268, HB 1280, HB 1282, HB 1293, HB 1321, HB 1326, HB 1339, HB 1346, and HB 1354.

**MOTION**

**REP. VIGESAA MOVED** that the rules be suspended and that the bills amended today on the Sixth Order and placed on the Fourteenth Order, as amended, be considered immediately, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2030:** A BILL for an Act to amend and reenact sections 23-35.1-01, 23-35.1-02, 23-35.1-03, and 23-35.1-04 of the North Dakota Century Code, relating to regional public health network definitions, joint powers agreement review, annual plan, and receipt and use of moneys.

**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 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; 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; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**NAYS:** Bellew; Holman; Mooney; Oversen; Strinden

**ABSENT AND NOT VOTING:** Drovdal; Schatz; Trottier

SB 2030, as amended, passed.

\*\*\*\*\*

**MOTION**

**REP. VIGESAA MOVED** that SB 2032, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2160:** A BILL for an Act to provide for a legislative management study of professional student exchange 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schatz

Engrossed SB 2160, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2180:** A BILL for an Act to create and enact a new section to chapter 58-03 of the North Dakota Century Code, relating to the issuance of building permits by townships.

**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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; 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; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schatz

SB 2180, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2342:** A BILL for an Act to create and enact sections 43-15.3-10, 43-15.3-11, and 43-15.3-12 of the North Dakota Century Code, relating to wholesale drug distribution; to amend and reenact sections 43-15.3-01, 43-15.3-02, 43-15.3-03, 43-15.3-04, 43-15.3-07, 43-15.3-08, and 43-15.3-09 of the North Dakota Century

Code, relating to wholesale drug distribution; and to provide a penalty.

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

**YEAS:** Amerman; Boe; Damschen; Delmore; Fehr; Glassheim; Haak; Hanson; Hatlestad; Hofstad; Hogan; Holman; Johnson, D.; Johnson, N.; Kelsh, J.; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kretschmar; Laning; Mock; Mooney; Muscha; Nelson, M.; Oversen; Paur; Wall; Weisz; Williams

**NAYS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delzer; Dockter; Dosch; Frantsvog; Froseth; Grande; Gruchalla; Guggisberg; Hawken; Headland; Heilman; Heller; Hunskor; Karls; Kasper; Keiser; Kelsh, S.; Kempenich; Klein; Kreidt; Kreun; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Onstad; Owens; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wieland; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schatz

Engrossed SB 2342, as amended, failed.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

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

#### 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 79 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Becker; Brabandt; Delzer; Frantsvog; Grande; Headland; Keiser; Meier; Schmidt; Skarphol; Streyle; Toman; Wieland

**ABSENT AND NOT VOTING:** Drovdal; Schatz

SB 2361, as amended, passed.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

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

#### 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, 13 NAYS,

0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Belter; Boe; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Fehr; Frantsvog; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsh, J.; Kelsh, S.; 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; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Silbermagel; Skarphol; Steiner; Strinden; Sukut; Trottier; Vigesaa; Wall; Weisz; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Brabandt; Dosch; Froseth; Headland; Kasper; Kempenich; Pollert; Streyle; Thoreson; Toman; Wieland

**ABSENT AND NOT VOTING:** Drovdal; Schatz

Engrossed SB 2375 passed.

\*\*\*\*\*

#### MOTION

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 10:00 a.m., Friday, March 29, 2013, which motion prevailed.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2064, SB 2078, SB 2158, SB 2168, SB 2169, SB 2170, SB 2181, SB 2191, SB 2198, SB 2216, SB 2234, SB 2279, SB 2318, SB 2329, SB 2348, SCR 4008.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2065.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2095, SB 2116, SB 2163, SB 2210, SB 2243, SB 2325.

#### 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 2094.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause failed: SB 2310.

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2148, SB 2167, SB 2297, SB 2360.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1046, HB 1097, HB 1172, HB 1176, HB 1320.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1202.

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1202

Page 1, line 17, replace "and are" with an underscored comma

Page 1, line 17, remove "redundant and"

Page 1, line 17, after "reliable" insert ", and which follow interoperable standards set by the emergency services communications coordinating committee"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1425.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1226, HB 1277, HB 1314.

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2043, SB 2046, and SB 2231.

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

**MR. SPEAKER:** Your signature is respectfully requested on: 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, SCR 4011.

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

**MR. PRESIDENT:** The Speaker 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, SCR 4011.

**REPORT OF STANDING COMMITTEE**

**SB 2171, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2171 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections"

Page 1, line 1, after the first "1" insert "and 5"

Page 1, line 4, replace "Subsection" with "Subsections"

Page 1, line 4, after "1" insert "and 5"

Page 1, line 5, replace "is" with "are"

Page 1, line 16, replace "twenty-six" with "twenty-two"

Page 1, line 20, replace "twenty-six" with "twenty-two"

Page 1, line 21, replace "thirty" with "twenty-six"

Page 2, line 1, replace "thirty" with "twenty-six"

Page 2, line 2, replace "thirty-four" with "thirty"

Page 2, line 6, replace "thirty-four" with "thirty"

Page 2, line 7, replace "thirty-eight" with "thirty-four"

Page 2, line 11, replace "thirty-eight" with "thirty-four"

Page 2, line 12, replace "forty-two" with "thirty-eight"

Page 2, line 28, remove "two hundred"

Page 2, line 28, overstrike "seventy-five" and insert immediately thereafter "three hundred"

Page 3, after line 4, insert:

- "5. For the purposes of this section:
- a. "Dependent" has the same meaning it has for federal income tax purposes.
  - b. "Homestead" has the same meaning as provided in section 47-18-01.
  - c. "Income" means income for the most recent complete taxable year from all sources, including the income of any dependent of the applicant, and including any county, state, or federal public assistance benefits, ~~social security, or other~~ retirement benefits, and eighty percent of social security benefits, but excluding any federal rent subsidy, any amount excluded from income by federal or state law, and medical expenses paid during the year by the applicant or the applicant's dependent which is not compensated by insurance or other means.
  - d. "Medical expenses" has the same meaning as it has for state income tax purposes, except that for transportation for medical care the person may use the standard mileage rate allowed for state officer and employee use of a motor vehicle under section 54-06-09.
  - e. "Permanently and totally disabled" means the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than twelve months as established by a certificate from a licensed physician or a written determination of disability from the social security administration."

Page 3, line 6, after "2012" insert ", for ad valorem property taxes and for taxable years beginning after December 31, 2013, for mobile home taxes"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2196, as engrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2196 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2201: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2201 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 991 and 992 of the House Journal, Senate Bill No. 2201 is amended as follows:

Page 1, line 2, remove "school district"

Page 4, line 3, remove "a."

Page 4, line 4, remove "an administrator"

Page 4, line 4, overstrike ", teacher," and insert immediately thereafter "an"

Page 4, line 5, overstrike the comma

Page 4, line 6, overstrike "; the chancellor and vice chancellors of the board of higher"

Page 4, overstrike line 7

Page 4, line 8, overstrike "president, provosts, instructors, and athletic team coaches of board institutions"

Page 4, remove lines 13 through 21

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2239: 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). SB 2239 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "a" with "any stun gun or"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2240, as reengrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2240 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2314, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2314 was placed on the Sixth order on the calendar.

Page 1, line 19, remove ". the governing body"

Page 1, line 20, remove "of the municipality must have"

Page 1, line 21, replace "Received" with "The governing body of the municipality must have received"

Page 2, line 1, replace "Established" with "The city council or commission, if the project is proposed to be located within the boundaries of a city of fewer than forty thousand population, or the board of county commissioners, of a county of fewer than forty thousand population and if the project is proposed to be located in the county but outside the corporate limits of any city, may grant a partial or complete exemption from ad valorem taxation for a project operating in the retail sector if that governing body has obtained the approval of exemption of property under this subdivision from a majority of the qualified electors of the city or county voting on the question at a city or county election held in conjunction with a statewide general election and if that governing body has established"

Page 2, line 4, after the underscored period insert "The ballot for elector approval of exemption of property under this subdivision must present the question at the election for a yes or no vote on the question:

Shall the governing body of [name of county or city] be empowered to grant property tax exemptions upon application of new or expanding retail sector businesses?

Only a governing body of a city or county that meets the requirements of this subdivision may grant a partial or complete exemption from ad valorem taxation under this section for a project operating in the retail sector."

Page 4, after line 6, insert:

"6. A city or county may not supersede or expand the provisions of this section under home rule authority."

Page 4, line 16, replace "after July 31, 2013" with "to initially become effective for taxable years beginning after December 31, 2014"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2338, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2338 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on page 1064 of the House Journal, Engrossed Senate Bill No. 2338 is amended as follows:

Page 3, line 2, replace "five" with "six"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2366, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2366 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2370, as reengrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2370 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SCR 4030, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SCR 4030 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections 5 and" with "section"

Page 1, line 2, remove "uniformity of property taxation among classes of property and"

Page 1, line 3, replace "requiring use of assessed value as the actual value of property for property tax purposes" with "providing authority for the legislative assembly to provide a reduced level of assessed value of property imposed as a debt limit for political subdivisions"

Page 1, line 6, remove "requires the legislative assembly to restrict the variance of effective property tax"

Page 1, replace lines 7 and 8 with "allows the legislative assembly to provide a reduced level of assessed value of property imposed as a debt limit for political subdivisions beginning in"

Page 1, line 12, replace "amendments" with "amendment"

Page 1, line 12, replace "sections 5 and" with "section"

Page 1, line 13, replace "are" with "is"

Page 1, remove lines 16 through 25

Page 2, remove lines 1 through 19

Page 2, line 23, remove the overstrike over "~~five~~"

Page 2, line 23, remove "two and one-half"

Page 2, line 24, remove the overstrike over "~~provided that any~~"

Page 2, line 24, remove ". However, an"

Page 2, line 25, remove the overstrike over "~~such indebtedness three~~"

Page 2, line 25, remove "its debt limit to four"

Page 2, line 26, remove the overstrike over "~~beyond said five per centum limit,~~"

Page 2, line 27, remove the overstrike over "~~such indebtedness~~"

Page 2, line 27, remove "its debt limit to"

Page 2, line 27, remove the overstrike over "~~beyond said~~"

Page 2, line 28, remove the overstrike over "~~five per centum limit; provided also that any~~"

Page 2, line 28, remove ". In addition, a"

Page 3, line 3, remove the overstrike over "~~whether contracted prior or subsequent to the adoption of this~~"

Page 3, line 4, remove the overstrike over "~~constitution, shall~~"

Page 3, line 4, remove "must"

Page 3, line 4, remove the overstrike over "~~; provided further that any~~"

Page 3, line 4, remove ". Any"

Page 3, line 5, remove the overstrike over "~~four~~"

Page 3, line 5, remove "two"

Page 3, after line 10, insert:

"The legislative assembly may provide by law a lower percentage of assessed value than the percentage limits of this section as a limit of indebtedness of political subdivisions."

Renumber accordingly

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

**Buell J. Reich, Chief Clerk**