

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

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Bismarck, February 5, 2015

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

The prayer was offered by Rev. Bob Thune, First Evangelical Free Church, Bismarck.

The roll was called and all members were present except Representatives Belter and Frantsvog.

A quorum was declared by the Acting 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 Twentieth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 328, line 20, after "Ninth" insert ", and Thirteenth"

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

## SIXTH ORDER OF BUSINESS

**ACTING SPEAKER DEVLIN DEEMED** approval of the amendments to HB 1187, HB 1257, HB 1304, HB 1307, and HB 1455.

HB 1187, HB 1257, HB 1304, HB 1307, and HB 1455, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## SECOND READING OF HOUSE BILL

**HB 1056:** A BILL for an Act to amend and reenact section 18-10-07 of the North Dakota Century Code, relating to rural fire protection district increased levy approval; to repeal section 57-15-26.3 of the North Dakota Century Code, relating to the levy limit for rural fire protection districts; and to provide an effective date.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 58 YEAS, 34 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Beadle; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Johnson, M.; Karls; Kasper; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyson; Louser; Maragos; Martinson; Meier; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

**NAYS:** Amerman; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Delmore; Delzer; Glassheim; Guggisberg; Haak; Hanson; Hogan; Holman; Hunsakor; Kading; Keiser; Kelsh; Kiefert; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, M.; Olson; Onstad; Oversen; Ruby; Schneider; Schreiber Beck; Strinden; Wallman

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

Engrossed HB 1056 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1152:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual, estate, trust, or corporation income tax credit for donations to a Bakken region scholarship fund maintained and administered by a nonprofit private institution of higher education; to provide an effective date; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Dockter; Dosch; Guggisberg; Haak; Karls; Keiser; Klein; Larson; Martinson; Meier; Nathe; Porter; Rohr; Schmidt; Silbernagel; Steiner

**NAYS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Fehr; Froseth; Glassheim; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Kasper; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Lefor; Looyen; Louser; Maragos; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Skarphol; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Frantsovog; Speaker Belter

Engrossed HB 1152 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1340:** A BILL for an Act to amend and reenact section 40-22-18 of the North Dakota Century Code, relating to methods of protest of special assessment projects; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Frantsovog; Speaker Belter

Engrossed HB 1340 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1248:** A BILL for an Act to amend and reenact section 15.1-27-04.1 of the North Dakota

Century Code, relating to the determination of state aid for small districts; to provide an effective date; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 85 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Brandenburg; Haak; Hogan; Kempenich; Kretschmar; Nelson, J.; Weisz

**NAYS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Zubke

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1248 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1261:** A BILL for an Act to create a higher education open educational resources incentive grant program; to provide for a legislative management report; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 66 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Keiser; Maragos; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Sanford; Schneider; Strinden; Wallman

**NAYS:** Amerman; Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Headland; Hofstad; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Martinson; Meier; Monson; Nathe; Olson; Paur; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1261 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1362:** A BILL for an Act to provide an appropriation for continuum-based English language learner grants to school districts.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 31 YEAS, 61 NAYS,

0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, D.; Anderson, P.; Beadle; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Johnson, M.; Keiser; Kelsh; Maragos; Martinson; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Sanford; Schneider; Strinden; Wallman

**NAYS:** Anderson, B.; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Headland; Hofstad; Johnson, D.; Kading; Karls; Kasper; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Meier; Monson; Nathe; Nelson, J.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1362 failed.

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### SECOND READING OF HOUSE BILL

**HB 1433:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to student loan repayment grants for high-demand occupations.

### 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, 69 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kelsh; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Strinden; Wallman

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1433 failed.

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### SECOND READING OF HOUSE BILL

**HB 1280:** A BILL for an Act to provide for a legislative management study of the feasibility and desirability of reorganizing and restructuring the department of human 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 77 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brabandt; Carlson; Damschen; Delmore; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kiefert;

Klein; Klemin; Koppelman, B.; Koppelman, K.; Kretschmar; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Becker, Rick C.; Bellew; Boehning; Brandenburg; Delzer; Glassheim; Headland; Kempenich; Kreidt; Laning; Monson; Pollert; Rohr; Ruby; Schmidt

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1280 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1378:** A BILL for an Act to provide for a legislative management study, decisions, and directive regarding the federal Affordable Care Act and the state's benchmark plan and state-based essential health benefits package for the 2017 plan year and beyond.

#### 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 76 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Boschee; Carlson; Damschen; Delmore; Devlin; Dockter; Dosch; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Keiser; Kelsh; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Becker, Rick C.; Bellew; Brabandt; Brandenburg; Delzer; Froseth; Headland; Kasper; Kempenich; Monson; Olson; Pollert; Rohr; Schmidt; Streyle; Toman

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1378 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1347:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-31.2-01 and subsection 8 of section 27-20-02 of the North Dakota Century Code, relating to the inclusion of human trafficking in the definition of disorderly conduct and the definition of a deprived child.

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz;

Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1347 passed.

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**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2116, SB 2121, SB 2154, SB 2215, SB 2219, SB 2241, SB 2256, SB 2327.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2278.

**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, February 6, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1040: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1040 was placed on the Sixth order on the calendar.

Page 1, line 13, after the underscored comma insert "who has completed the requirements for a minimum of a master's degree in psychiatric and mental health nursing from an accredited program."

Page 2, line 8, after the first comma insert "physician assistant."

Page 2, line 12, after the first comma insert "physician assistant."

Page 3, after line 2, insert:

"g. A physician assistant."

Page 4, line 1, after "14." insert "\"Physician assistant\" means an individual licensed to practice as a physician assistant under chapter 43-17, who is authorized by the state board of medical examiners to practice in the field of psychiatry, holds a certification in psychiatry approved by the board, and is practicing under the supervision of a psychiatrist licensed to practice medicine in this state. This chapter does not expand the scope of practice of a physician assistant beyond the scope of practice authorized by the state board of medical examiners.

15."

Page 4, line 3, replace "15." with "16."

Page 4, line 5, replace "16." with "17."

Page 4, line 7, replace "17." with "18."

Page 4, line 12, replace "18." with "19."

Page 4, line 14, replace "19." with "20."

Page 4, line 29, replace "20." with "21."

Page 5, line 1, replace "21." with "22."

Page 5, line 6, replace "22." with "23."

Page 7, line 5, after the second comma insert "physician assistant."

Page 7, line 29, after the first comma insert "physician assistant."

Page 9, line 4, after the first underscored comma insert "physician assistant."

Page 9, line 6, after the first comma insert "physician assistant."

Page 9, line 9, after the first comma insert "physician assistant."

Page 11, line 6, after the first underscored comma insert "physician assistant."

Page 13, line 19, after the second comma insert "physician assistant."

Page 14, line 19, after the first comma insert "physician assistant."

Page 14, line 26, after the second comma insert "physician assistant."

Page 15, line 1, after the second comma insert "physician assistant."

Page 16, line 7, after the second comma insert "physician assistant."

Page 16, line 11, after the second comma insert "physician assistant."

Page 18, line 7, after the first comma insert "physician assistant."

Page 18, line 11, after the first comma insert "physician assistant."

Page 18, line 14, after the first comma insert "physician assistant."

Page 18, line 24, after the first comma insert "physician assistant."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1046: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1046 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to provide for a traumatic brain injury registry; to provide an appropriation to"

Page 1, remove line 2

Page 1, line 3, remove "injury registry; and"

Page 1, line 4, remove "a traumatic brain injury registry,"

Page 1, line 4, remove the second comma

Page 1, remove lines 7 through 23

Page 2, remove lines 1 through 9

Page 2, line 13, replace "\$1,305,000" with "\$500,000"

Page 2, line 20, replace "\$650,000" with "\$500,000"

Page 2, line 21, replace "expanding the level of" with "providing life skill"

Page 2, line 21, after "including" insert "an evidence-based"

Page 2, line 22, replace "programming" with "model"

Page 2, line 22, after "a" insert "traumatic"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1059: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1059 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 57-06-17.3,"

Page 1, line 1, after "57-20-07.2" insert ", and 57-33.2-02"

Page 1, line 2, after "a" insert "new transmission line property tax exemption, a"

Page 1, line 2, after "credit" insert ", and the transmission line mile tax rate"

Page 1, after line 5, insert:

**"SECTION 1. AMENDMENT.** Section 57-06-17.3 of the North Dakota Century Code is amended and reenacted as follows:

#### **57-06-17.3. New transmission line property tax exemption.**

A transmission line of two hundred thirty kilovolts or larger, and its associated transmission substations, which is not taxable under chapter 57-33.2 and is initially placed in service on or after October 1, 2002, is subject to a tax at the rate of three hundred dollars per mile [1.61 kilometers] or fraction of a mile. A transmission line subject to taxation under this section is exempt from property taxes for the first taxable year after the line is initially placed in service, and the taxable valuation as otherwise determined by law on the transmission line and its associated transmission substation taxes under this section must be reduced by:

1. Seventy-five percent for the second taxable year of operation of the transmission line.
2. Fifty percent for the third taxable year of operation of the transmission line.
3. Twenty-five percent for the fourth taxable year of operation of the transmission line.

After the fourth taxable year of operation of the transmission line, the transmission line and its associated transmission substations are exempt from property taxes and are subject to a tax at the rate of three hundred dollars per mile [1.61 kilometers] or fraction thereof of the line located in this state. The per mile tax imposed by this section applies to the transmission line and its associated transmission substations and is subject to allocation among counties in the proportion that the miles of that transmission line in the county bears to the miles of that transmission line in the state.

For purposes of this section, "initially placed in service" includes both new construction and substantial expansion of the carrying capacity of a preexisting line, and "substantial expansion" means an increase in carrying capacity of fifty percent or more."

Page 1, line 19, after "3." insert: "The owner, operator, or lessee of transmission lines assessed by the state board of equalization under section 57-06-17.3 is entitled to a credit against taxes per mile in the amount provided in subsection 1. The tax



commissioner shall determine the total amount of credits under this subsection and certify the amount to the state treasurer for transfer from the general fund to the electric generation, transmission, and distribution tax fund. The credit for each transmission company must be allocated and distributed to counties in the same manner as the tax collected from that company is allocated.

4. The owner, operator, or lessee of electric transmission or distribution property assessed by the state board of equalization under section 57-33.2-02 or 57-33.2-03 is entitled to a credit against the transmission or distribution tax in the amount provided in subsection 1. The tax commissioner shall determine the total amount of credits under this subsection and certify the amount to the state treasurer for transfer from the general fund to the electric generation, transmission, and distribution tax fund. The credit for each transmission or distribution company must be allocated and distributed to counties in the same manner as the tax collected from that company is allocated.

5."

Page 2, line 4, overstrike "4." and insert immediately thereafter "6."

Page 2, line 9, overstrike "5" and insert immediately thereafter "7"

Page 2, line 10, overstrike "5." and insert immediately thereafter "7."

Page 2, line 18, overstrike "4" and insert immediately thereafter "6"

Page 2, line 19, overstrike "6." and insert immediately thereafter "8."

Page 2, line 19, overstrike "4" and insert immediately thereafter "6"

Page 2, line 19, overstrike "5" and insert immediately thereafter "7"

Page 2, line 23, overstrike "7." and insert immediately thereafter "9."

Page 2, line 23, overstrike "5" and insert immediately thereafter "7"

Page 3, line 3, overstrike "8." and insert immediately thereafter "10."

Page 3, after line 6, insert:

**"SECTION 3. AMENDMENT.** Section 57-33.2-02 of the North Dakota Century Code is amended and reenacted as follows:

**57-33.2-02. Transmission line mile tax - Exemption.**

Transmission lines are subject to annual taxes per mile [1.61 kilometers] or fraction of a mile based on their nominal operating voltages on January first of each year, as follows:

1. For transmission lines that operate at a nominal operating voltage of less than fifty kilovolts, a tax of fifty dollars.
2. For transmission lines that operate at a nominal operating voltage of fifty kilovolts or more, but less than one hundred kilovolts, a tax of one hundred dollars.
3. For transmission lines that operate at a nominal operating voltage of one hundred kilovolts or more, but less than two hundred kilovolts, a tax of two hundred dollars.
4. For transmission lines that operate at a nominal operating voltage of two hundred kilovolts or more, but less than three hundred kilovolts, a tax of four hundred dollars.

5. For transmission lines that operate at a nominal operating voltage of three hundred kilovolts or more, a tax of six hundred dollars.
6. A transmission line initially placed in service after January 1, 2009, and before December 31, 2013, is exempt from transmission line taxes under this section for the first taxable year after the line is initially placed in service, and transmission line taxes under this section must be reduced by:
  - a. Seventy-five percent for the second taxable year of operation of the transmission line.
  - b. Fifty percent for the third taxable year of operation of the transmission line.
  - c. Twenty-five percent for the fourth taxable year of operation of the transmission line.
  - d. After the fourth taxable year of operation, such transmission lines are subject to the standard transmission line taxes under this section.
7. A transmission line of two hundred thirty kilovolts or larger initially placed in service after January 1, 2009, is subject to a tax at the rate of three hundred dollars per mile [1.61 kilometers] or fraction of a mile. A transmission line subject to tax under this subsection is exempt for the first taxable year after the line is initially placed in service, and transmission line taxes under this subsection must be reduced by:
  - a. Seventy-five percent for the second taxable year of operation of the transmission line.
  - b. Fifty percent for the third taxable year of operation of the transmission line.
  - c. Twenty-five percent for the fourth taxable year of operation of the transmission line.
  - d. After the fourth taxable year of operation, such transmission lines are subject to the standard transmission line taxes under this subsection.
8. For purposes of this section, "initially placed in service" includes both new construction and substantial expansion of the carrying capacity of a preexisting line, and "substantial expansion" means an increase in carrying capacity of fifty percent or more."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1129: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1129 was placed on the Sixth order on the calendar.

Page 1, line 2, after "colleges" insert "; and to provide an expiration date"

Page 1, line 9, remove the overstrike over "~~assist in providing certificates~~"

Page 1, remove the overstrike over line 10

Page 1, line 11, remove the overstrike over "~~to obtain jobs for which applicants are being sought within the state~~"

Page 1, line 11, remove "address a"

Page 1, remove line 12

Page 1, line 13, remove "and which are expected to lead to employment in the state"

Page 1, after line 20, insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2017, and after that date is ineffective."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1175: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1175 was placed on the Sixth order on the calendar.

Page 1, line 12, after "include" insert "a roadway right of way, or"

Page 1, line 16, after the underscored period insert "The director shall create an informational packet on the permitting process and the required permits for dredging and shall make this informational packet available on the department's website and at the department's offices."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1178: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1178 was placed on the Sixth order on the calendar.

Page 4, line 28, replace "Sixty" with "Forty"

Page 4, after line 29, insert:

"b. For purposes of applying the calculation in paragraph 3 of subdivision a, the amount being subtracted in accordance with subparagraph a or b may not exceed fifty percent of a school district's revenue contribution to a qualifying project."

Page 5, line 1, replace "b." with "c."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1210: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1210 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "subsection 4 of section 27-20-13 and"

Page 1, line 2, after "child" insert "to or"

Page 1, after line 6, insert:

**"SECTION 1.** Subsection 4 to section 27-20-13 of the North Dakota Century Code is created and enacted as follows:

4. Unless a child is in immediate danger, a court order transferring a child into custody shall provide a reasonable period of time to facilitate a beneficial transition for the child and other parties involved.

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1216: Education Committee (Rep. Nathe, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1216 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1228: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1228 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "an extension of"

Page 1, line 13, replace "forty" with "thirty"

Page 1, line 16, remove the overstrike over "ten"

Page 1, line 16, remove "forty"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1300: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1300 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1311: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1311 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "26.1-02" with "26.1-39"

Page 1, line 2, after "of" insert "property and casualty"

Page 1, line 4, replace "26.1-02" with "26.1-39"

Page 1, line 22, replace the first underscored comma with "or"

Page 1, line 22, remove ", or change in rates or benefits"

Page 2, line 13, remove "The types of notices and documents to which the party's consent would"

Page 2, remove lines 14 and 15

Page 2, line 16, remove "(3)"

Page 2, line 18, replace "(4)" with "(3)"

Page 2, line 29, remove "The insurer takes measures reasonably calculated to ensure the delivery by"

Page 2, remove line 30

Page 3, line 1, remove "e."

Page 3, line 5, remove the underscored colon

Page 3, line 6, replace "(1) Provides" with ", provides"

Page 3, line 6, remove the underscored colon

Page 3, line 7, replace "(a) The" with "the"

Page 3, line 8, remove the underscored semicolon

Page 3, remove lines 9 through 11

Page 3, line 12, replace "(2) Complies" with "complies"

Page 3, line 26, after "time" insert "not to exceed five days"

Page 3, remove lines 28 through 30

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1336: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1336 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1365: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1365 was placed on the Sixth order on the calendar.

Page 1, line 23, overstrike "may"

Page 1, line 23, remove "not"

Page 1, line 23, overstrike "fail to" and insert immediately thereafter "shall"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1369: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1369 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1370: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1370 was placed on the Sixth order on the calendar.

Page 1, line 2, after "notices" insert "and the notification of registered owners of mammography equipment; to provide an expiration date; and to declare an emergency"

Page 1, line 20, after the first underscored period insert "The state department of health shall notify all registered owners of mammography equipment of these changes, along with the state board of medical examiners, the North Dakota medical association, the North Dakota board of nursing, and the North Dakota nursing association. The state department of health shall encourage these boards to include information about these changes in the next publication of their professional journals."

**SECTION 2. EXPIRATION DATE.** This Act is effective through July 30, 2017, and after that date is ineffective.

**SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1380: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1380 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1384: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1384 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "26.1-56" with "26.1-26.7"

Page 1, line 4, replace "26.1-56" with "26.1-26.7"

Page 1, line 6, replace "**26.1-56-01**" with "**26.1-26.7-01**"

Page 2, line 21, replace "**26.1-56-02**" with "**26.1-26.7-02**"

Page 3, line 12, replace "**26.1-56-03**" with "**26.1-26.7-03**"

Page 4, line 16, replace "**26.1-56-04**" with "**26.1-26.7-04**"

Page 5, line 10, replace "**26.1-56-03**" with "**26.1-26.7-03**"

Page 6, line 4, replace "**26.1-56-05**" with "**26.1-26.7-05**"

Page 8, line 1, replace "**26.1-56-06**" with "**26.1-26.7-06**"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1385: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1385 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1410: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1410 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "\$5,000,000" with "\$4,900"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1413: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1413 was placed on the Sixth order on the calendar.

Page 2, line 6, after the underscored period insert "An eligible veteran must be a North Dakota high school graduate or a resident of North Dakota for a minimum of five years."

Page 2, line 18, after the first "dollars" insert "per academic year or seven hundred fifty dollars"

Page 3, line 1, remove "general"

Page 3, line 2, replace "fund" with "student loan trust fund"

Page 3, line 2, replace "\$15,000,000" with "\$3,000,000"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1419: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1419 was placed on the

Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1435: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1435 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1452: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1452 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1460: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1460 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3019: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3019 was placed on the Tenth order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Rick C. Becker, Dockter, Meier, Monson, Olson, Ruby, Schatz and Sens. Klein, Poolman introduced:

**HCR 3035:** A concurrent resolution to amend and reenact section 5 of article IV, section 4 of article V, and section 10 of article VI of the Constitution of North Dakota, relating to the qualifications of office for elected and appointed offices of the legislative, executive, and judicial branches of government; and to provide an effective date.

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

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

**Buell J. Reich, Chief Clerk**

