

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

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Bismarck, February 16, 2015

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

The prayer was offered by Pastor Douglas Bergelin, Zion Lutheran Church, Bismarck.

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

A quorum was declared by the Speaker.

## MOTION

**REP. VIGESAA MOVED** that HB 1133 be laid over one legislative day, which motion prevailed.

## SIXTH ORDER OF BUSINESS

**SPEAKER BELTER DEEMED** approval of the amendments to HB 1072, HB 1138, HB 1232, HB 1318, HB 1348, HB 1430, HB 1441, HCR 3016, HCR 3017, HCR 3031, and HCR 3034.

HB 1072, HB 1138, HB 1232, HB 1318, HB 1348, HB 1430, HB 1441, HCR 3016, HCR 3017, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day. HCR 3031 and HCR 3034, as amended, were placed on the Tenth order of business.

## SECOND READING OF HOUSE BILL

**HB 1407:** A BILL for an Act to amend and reenact section 12.1-32-15 of the North Dakota Century Code, relating to the registration of sex offenders and offenders against children who are homeless; to provide a penalty; and to declare an emergency.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 2 NAYS, 0 EXCUSED, 1 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; 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.; 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; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Glassheim; Nelson, M.

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1407 passed and the emergency clause was declared carried.

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## SECOND READING OF HOUSE BILL

**HB 1466:** A BILL for an Act to create a school district administrator compensation review commission; and to provide for a legislative management report.

**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 50 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Beadle; Becker, Rich S.; Becker, Rick C.; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dosch; Fehr; Froseth; Hatlestad; Headland; Johnson, M.; Kading; Karls; Kasper; Kempenich; Kiefert; Klein; Koppelman, B.; Koppelman, K.; Laning; Lefor; Louser; Maragos; Martinson; Meier; Mock; Olson; Owens; Paur; Pollert; Rohr; Ruby; Schatz; Schmidt; Schneider; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Vigasaa; Zubke; Speaker Belter

**NAYS:** Amerman; Anderson, D.; Anderson, P.; Bellew; Boe; Boschee; Delmore; Dockter; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Keiser; Kelsh; Klemin; Kreidt; Kretschmar; Larson; Looyesen; Mitskog; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Porter; Sanford; Schreiber Beck; Seibel; Silbernagel; Strinden; Trottier; Wallman; Weisz

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1466 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1406:** A BILL for an Act to create and enact chapter 57-39.8 of the North Dakota Century Code, relating to authorizing entry of state-tribal agreements for administration and collection of state and tribal sales, use, gross receipts, and motor vehicle excise taxes imposed and collected within the exterior boundaries of the Standing Rock Reservation within this state.

**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 85 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; 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; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Becker, Rick C.; Bellew; Carlson; Delzer; Koppelman, B.; Koppelman, K.; Olson; Streyle

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1406 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1429:** A BILL for an Act to amend and reenact subsection 8 of section 57-38-01.8 of the North Dakota Century Code, relating to individual income tax credits for residential installation of geothermal energy devices; 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 NOT PASS, the roll was called and there were 33 YEAS,

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

**YEAS:** Amerman; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Johnson, M.; Keiser; Kelsh; Laning; Larson; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Porter; Schneider; Strinden; Wallman; Zubke

**NAYS:** Anderson, B.; Anderson, D.; 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; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Olson; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1429 failed.

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### SECOND READING OF HOUSE BILL

**HB 1437:** A BILL for an Act to amend and reenact subsection 9 of section 57-51.1-03 of the North Dakota Century Code, relating to extending the date to qualify for the triggered oil extraction tax rate reduction for new horizontal wells; to repeal subsection 9 of section 57-51.1-03 of the North Dakota Century Code, relating to the triggered oil extraction tax rate reduction for new horizontal wells; 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 79 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Amerman; Anderson, P.; Boe; Glassheim; Guggisberg; Hogan; Holman; Kelsh; Kretschmar; Mock; Mooney; Nelson, J.; Schneider; Wallman

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1437 passed.

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### SECOND READING OF HOUSE BILL

**HB 1374:** A BILL for an Act to provide for a legislative management study of oil and gas put options, swap agreements, or other hedging strategies.

### 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 85 YEAS, 8 NAYS, 0 EXCUSED, 1 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; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Delzer; Headland; Johnson, M.; Laning; Mooney; Onstad; Pollert; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1374 passed.

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### SECOND READING OF HOUSE BILL

**HB 1451:** A BILL for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to the plan approval and inspection of fire sprinkler systems; and to provide and 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 NOT PASS, the roll was called and there were 31 YEAS, 62 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson, B.; Anderson, D.; 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; Keiser; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1451 failed.

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### SECOND READING OF HOUSE BILL

**HB 1161:** A BILL for an Act to amend and reenact section 53-06.1-10 of the North Dakota Century Code, relating to wagers for the game of twenty-one.

### 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 65 YEAS, 28 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Dockter; Dosch; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Looyesen; Louser; Maragos; Martinson; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.;

Olson; Onstad; Oversen; Owens; Paur; Porter; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Zubke

**NAYS:** Anderson, B.; Bellew; Damschen; Delzer; Devlin; Fehr; Froseth; Glassheim; Guggisberg; Holman; Keiser; Klein; Laning; Larson; Lefor; Meier; Nelson, M.; Pollert; Rohr; Ruby; Schatz; Silbernagel; Skarphol; Steiner; Vigasaa; Wallman; Weisz; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1161 passed.

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### SECOND READING OF HOUSE BILL

**HB 1230:** A BILL for an Act to amend and reenact section 53-06.1-07.4 of the North Dakota Century Code, relating to the game of paddlewheels.

### 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 31 YEAS, 62 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Beadle; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Delmore; Dockter; Haak; Hanson; Hatlestad; Hawken; Johnson, M.; Kading; Kelsh; Kretschmar; Looyen; Louser; Maragos; Martinson; Mitskog; Muscha; Oversen; Porter; Schneider; Streyle; Strinden; Thoreson; Toman

**NAYS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Bellew; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Lefor; Meier; Mock; Monson; Mooney; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Sukut; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1230 failed.

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### SECOND READING OF HOUSE BILL

**HB 1235:** A BILL for an Act create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to the game of electronic quick shot bingo; 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 47 YEAS, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Delmore; Dockter; Dosch; Glassheim; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Johnson, D.; Johnson, M.; Kading; Kasper; Kelsh; Koppelman, B.; Kreidt; Kretschmar; Looyen; Louser; Maragos; Martinson; Mitskog; Monson; Mooney; Muscha; Nelson, J.; Onstad; Oversen; Paur; Porter; Sanford; Schneider; Schreiber Beck; Streyle; Strinden; Thoreson; Toman

**NAYS:** Anderson, B.; Becker, Rich S.; Bellew; Brandenburg; Carlson; Damschen; Delzer; Devlin; Fehr; Froseth; Guggisberg; Headland; Holman; Hunskor; Karls; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, K.; Laning; Larson; Lefor; Meier; Mock; Nathe; Nelson, M.; Olson; Owens; Pollert; Rohr; Ruby; Schatz; Schmidt; Seibel; Silbernagel; Skarphol; Steiner; Sukut; Trottier; Vigasaa; Wallman; Weisz;

Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1235 failed.

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### SECOND READING OF HOUSE BILL

**HB 1321:** A BILL for an Act to amend and reenact section 12.1-17-07.1 of the North Dakota Century Code, relating to stalking and the use of electronic communication.

### 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, 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; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1321 passed.

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### SECOND READING OF HOUSE BILL

**HB 1287:** A BILL for an Act to amend and reenact sections 57-20-07.2 and 57-39.2-26.1 of the North Dakota Century Code, relating to increased allocation of sales, gross receipts, use, and motor vehicle excise tax collections to the state aid distribution fund to provide increased allocations to political subdivisions and to provide for separate allocations of property tax relief; to provide continuing appropriations; 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 NOT PASS, the roll was called and there were 24 YEAS, 69 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Boe; Boschee; Delmore; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Johnson, M.; Kelsh; Maragos; 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; Glassheim; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; 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; Vigesaa; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

HB 1287 failed.

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**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Rep. Lee Kaldor

**SECOND READING OF HOUSE BILL**

**HB 1472:** A BILL for an Act amend and reenact section 57-39.2-26.1 of the North Dakota Century Code, relating to increased allocation of sales, gross receipts, use, and motor vehicle excise tax collections to the state aid distribution fund to provide increased allocations to political subdivisions; to provide continuing appropriations; 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 24 YEAS, 69 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Boe; Boschee; Delmore; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Johnson, M.; Kelsh; Larson; 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; Glassheim; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Lefor; Looysen; 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; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1472 failed.

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**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Rep. Gerald Uglem

**SECOND READING OF HOUSE BILL**

**HB 1344:** A BILL for an Act to create and enact section 57-39.2-26.3 of the North Dakota Century Code, relating to the creation of a sales tax equity fund and allocation of revenues from that fund to cities and counties; to provide a continuing appropriation; and to provide an effective date.

**MOTION**

**REP. STRINDEN MOVED** that Rep. Sukut be allowed to speak a third time on HB 1344, which motion prevailed on a voice vote.

**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 43 YEAS, 49 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Boe; Boschee; Brabandt; Delmore; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, M.; Keiser; Klein; Kretschmar; Lefor; Louser; Maragos; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Onstad; Oversen; Ruby; Sanford; Schatz; Schneider; Skarphol; Steiner; Streyle; Strinden; Sukut; Zubke

**NAYS:** Amerman; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Glassheim; Headland; Holman; Kading; Karls; Kasper; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Looyesen; Martinson; Meier; Nathe; Nelson, M.; Olson; Owens; Paur; Pollert; Porter; Rohr; Schmidt; Schreiber Beck; Seibel; Silbernagel; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog; Monson

HB 1344 failed.

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### SECOND READING OF HOUSE BILL

**HB 1373:** A BILL for an Act to create and enact section 6-09-38.1 of the North Dakota Century Code, relating to creation of the North Dakota achieving a better life experience plan; and to provide a continuing appropriation.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 2 NAYS, 0 EXCUSED, 1 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; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; 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; Speaker Belter

**NAYS:** Delzer; Laning

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1373 passed.

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### SECOND READING OF HOUSE BILL

**HB 1244:** A BILL for an Act to create and enact section 54-06-14.5 of the North Dakota Century Code, relating to use of state employee sick leave for adoption of a child.

### 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 80 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Bellew; Brabandt; Keiser; Koppelman, B.; Kreidt; Monson; Olson; Paur; Pollert;



Ruby; Schmidt; Trottier; Zubke

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1244 passed.

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### SECOND READING OF HOUSE BILL

**HB 1247:** A BILL for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota Century Code, relating to early childhood services training on safe sleep practices for infants.

### 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 89 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; 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.; 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; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Anderson, B.; Kading; Ruby; Streyle

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1247 passed.

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### SECOND READING OF HOUSE BILL

**HB 1231:** A BILL for an Act to amend and reenact section 53-06.1-14 of the North Dakota Century Code, relating to distributors and manufacturers of games of chance.

### 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 73 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Carlson; Delmore; Dockter; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Looyesen; Maragos; Martinson; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Wallman; Zubke; Speaker Belter

**NAYS:** Anderson, B.; Bellew; Brandenburg; Damschen; Delzer; Devlin; Dosch; Fehr; Froseth; Hunskor; Laning; Larson; Lefor; Louser; Meier; Pollert; Rohr; Skarphol; Vigasaa; Weisz

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed HB 1231 passed.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3023.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2030, SB 2238, SB 2246, SB 2266, SB 2275, SB 2293, SB 2357.

**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 2301.

**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, February 17, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1075: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1075 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1167: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1167 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "an" with "a contingent"

Page 3, line 30, after the first boldfaced period insert "**CONTINGENT**"

Page 3, line 31, after "2014" insert ", but is ineffective for any taxable year if in any month during the first nine months of the immediately preceding taxable year the exemption under subsection 3 of section 57-51.1-03 was effective for the completion of any new horizontal well. For a taxable year for which section 1 of this Act is ineffective as provided in this section, the provisions of subsection 1 of section 57-38-30.3, without the amendments under section 1 of this Act, are effective"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1179: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1179 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to the administrative agency status of the industrial commission.

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

**SECTION 1. AMENDMENT.** Subsection 2 of section 28-32-01 of the North Dakota Century Code is amended and reenacted as follows:

2. "Administrative agency" or "agency" means each board, bureau, commission, department, or other administrative unit of the executive branch of state government, including one or more officers, employees, or other persons directly or indirectly purporting to act on behalf or under

authority of the agency. An administrative unit located within or subordinate to an administrative agency must be treated as part of that agency to the extent it purports to exercise authority subject to this chapter. The term administrative agency does not include:

- a. The office of management and budget except with respect to rules made under section 32-12.2-14, rules relating to conduct on the capitol grounds and in buildings located on the capitol grounds under section 54-21-18, rules relating to the classified service as authorized under section 54-44.3-07, and rules relating to state purchasing practices as required under section 54-44.4-04.
- b. The adjutant general with respect to the department of emergency services.
- c. The council on the arts.
- d. The state auditor.
- e. The department of commerce with respect to the division of economic development and finance.
- f. The dairy promotion commission.
- g. The education factfinding commission.
- h. The educational technology council.
- i. The board of equalization.
- j. The board of higher education.
- k. The Indian affairs commission.
- ~~l. The industrial commission with respect to the activities of the Bank of North Dakota, North Dakota housing finance agency, public finance authority, North Dakota mill and elevator association, North Dakota farm finance agency, the North Dakota transmission authority, and the North Dakota pipeline authority.~~
- ~~m.~~ The department of corrections and rehabilitation except with respect to the activities of the division of adult services under chapter 54-23.4.
- ~~n.m.~~ The pardon advisory board.
- ~~o.n.~~ The parks and recreation department.
- ~~p.o.~~ The parole board.
- ~~q.p.~~ The state fair association.
- ~~r.q.~~ The attorney general with respect to activities of the state toxicologist and the state crime laboratory.
- ~~s.r.~~ The board of university and school lands except with respect to activities under chapter 47-30.1.
- ~~t.s.~~ The administrative committee on veterans' affairs except with respect to rules relating to the supervision and government of the veterans' home and the implementation of programs or services provided by the veterans' home.
- ~~u.~~ The industrial commission with respect to the lignite research fund except as required under section 57-61-01.5.

- ~~v.t.~~ The attorney general with respect to guidelines adopted under section 12.1-32-15 for the risk assessment of sexual offenders, the risk level review process, and public disclosure of information under section 12.1-32-15.
- ~~w.u.~~ The commission on legal counsel for indigents.
- ~~x.v.~~ The attorney general with respect to twenty-four seven sobriety program guidelines and program fees.
- ~~y.~~ ~~The industrial commission with respect to approving or setting water rates under chapter 61-40."~~

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1181: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1181 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 16.1-13-08 of the North Dakota Century Code, relating to filling vacancies in the office of United States senator.

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

**SECTION 1. AMENDMENT.** Section 16.1-13-08 of the North Dakota Century Code is amended and reenacted as follows:

##### **16.1-13-08. Filling vacancy in office of United States senator.**

When a vacancy occurs in the office of United States senator from this state, the governor shall ~~issue a writ of call a special election to be held within ninety-five days to fill the vacancy at the next statewide primary or general election, whichever occurs first, and that occurs at least ninety days after the vacancy. However, if the next primary or general election at which the vacancy could be filled occurs in the year immediately preceding the expiration of the term, then no election may be held.~~ The governor, by appointment, may fill the vacancy temporarily, but any person so appointed shall serve only until the vacancy is filled by election or until the term expires if no election can be held. If the vacancy occurs within ninety-five days of the expiration of the term of office for that office, no election may be held to fill the vacancy."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1223: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1223 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "to repeal section 57-38-30.3 of the North Dakota Century Code, relating to"

Page 1, line 4, remove "elimination of the individual income tax; to provide effective dates;"

Page 1, line 4, replace "expiration" with "effective"

Page 1, line 12, remove the overstrike over "twenty-five"

Page 1, line 12, remove "one hundred"

Page 1, line 13, remove the overstrike over "and"

Page 1, line 13, after "~~forty-eight~~" insert "thirty-three"

Page 1, line 13, remove the overstrike over "~~hundredths~~"

Page 1, line 14, remove the overstrike over "~~twenty-five~~"

Page 1, line 14, remove "one hundred"

Page 1, line 14, remove the overstrike over "~~and not~~"

Page 1, line 15, remove the overstrike over "~~exceeding fifty thousand dollars~~"

Page 1, line 15, remove the overstrike over "~~and~~"

Page 1, line 15, after "~~seventy-three~~" insert "thirty-seven"

Page 1, line 15, remove the overstrike over "~~hundredths~~"

Page 1, remove the overstrike over line 17

Page 1, line 18, after "~~fifty-three~~" insert "eight"

Page 1, line 18, remove the overstrike over "~~hundredths percent.~~"

Page 2, replace lines 17 through 20 with:

"\$0	\$37,450	1.10%	\$0
\$37,450	\$90,750	\$411.95 + 2.04%	\$37,450
\$90,750	\$189,300	\$1,499.27 + 2.27%	\$90,750
\$189,300	\$411,500	\$3,736.36 + 2.64%	\$189,300
\$411,500		\$9,602.44 + 2.90%	\$411,500"

Page 2, remove lines 29 and 30

Page 3, replace lines 1 and 2 with

"\$0	\$62,600	1.10%	\$0
\$62,600	\$151,200	\$688.60 + 2.04%	\$62,600
\$151,200	\$230,450	\$2,496.04 + 2.27%	\$151,200
\$230,450	\$411,500	\$4,295.02 + 2.64%	\$230,450
\$411,500		\$9,074.74 + 2.90%	\$411,500"

Page 3, replace lines 11 through 14 with:

"\$0	\$31,300	1.10%	\$0
\$31,300	\$75,600	\$344.30 + 2.04%	\$31,300
\$75,600	\$115,225	\$1,248.02 + 2.27%	\$75,600
\$115,225	\$205,750	\$2,147.51 + 2.64%	\$115,225
\$205,750		\$4,537.37 + 2.90%	\$205,750"

Page 3, replace lines 23 through 26 with:

"\$0	\$50,200	1.10%	\$0
\$50,200	\$129,600	\$552.20 + 2.04%	\$50,200
\$129,600	\$209,850	\$2,171.96 + 2.27%	\$129,600
\$209,850	\$411,500	\$3,993.64 + 2.64%	\$209,850
\$411,500		\$9,317.20 + 2.90%	\$411,500"

Page 4, replace lines 4 through 7 with:

"\$0	\$2,500	1.10%	\$0
\$2,500	\$5,900	\$27.50 + 2.04%	\$2,500
\$5,900	\$9,050	\$96.86 + 2.27%	\$5,900
\$9,050	\$12,300	\$168.37 + 2.64%	\$9,050
\$12,300		\$254.17 + 2.90%	\$12,300"

Page 5, remove lines 3 through 32

Page 6, remove lines 1 through 32

Page 7, remove lines 1 through 31

Page 8, remove line 1

Page 8, line 2, replace "Section 1 of this" with "This"

Page 8, line 3, remove "Section 2 of this Act is effective for the first taxable year"

Page 8, remove lines 4 through 7

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1253: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1253 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1254: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1254 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to a parent's choice individual income tax deduction for qualified educational expenses; and to provide an effective date.

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

**SECTION 1.** A new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

Reduced by the amount up to a maximum of five thousand dollars, or two thousand five hundred dollars in the case of married individuals filing separately, of qualified educational expenses paid by the taxpayer for each qualifying child during the taxable year. This adjustment does not apply to individuals with taxable income exceeding sixty thousand dollars during the taxable year or to married individuals filing jointly with taxable income exceeding one hundred twenty thousand dollars during the taxable year. The adjustment under this subdivision shall be claimed in the form and manner prescribed by the tax commissioner. For purposes of this subdivision:

- (1) "Qualified educational expenses" means the amount expended for each qualifying child for books and tuition relating to the child's education at a nonpublic school.
- (2) "Qualifying child" means a child who was a nonpublic school student under the age of eighteen at the end of the taxable year. A qualifying child must be related to the taxpayer by blood, marriage, former marriage, adoption, or other legal guardianship.

**SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after December 31, 2014."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1260: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1260 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "16.1-11-37" with "16.1-12-02.2"

Page 1, line 13, remove "twice"

Page 1, remove lines 16 through 24

Page 2, replace lines 1 through 3 with:

**"SECTION 2. AMENDMENT.** Section 16.1-12-02.2 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-12-02.2. Counting of write-in votes - Certificate of candidacy by write-in candidates.**

1. An election board or canvassing board may not count or be required to officially report any write-in vote for any:
  - a. Individual who is required to file a certificate of write-in candidacy under this section but who has not filed a certificate of candidacy and been certified as a write-in candidate.
  - b. Fictitious person or individual clearly not eligible to qualify for the office for which the vote was cast.
  - c. Statement concerning the candidates.
  - d. Name written or printed by the voter for an office that did not also include the darkening of the oval next to the write-in line, except that a write-in candidate for a nonfederal office may make a timely written demand to a county canvassing board to identify and preserve any write-in vote cast for the office sought by the write-in candidate for canvass by the board. The candidate shall deliver the demand to the county auditor and a copy to the county recorder no later than thirty-six hours before the time the county canvassing board is scheduled to meet. A demand only may be made if the unofficial election results maintained by the county auditor demonstrate that the write-in candidate's known vote total is within the pertinent percentage limits provided in subsection 1 or 2 of section 16.1-16-01 and a statement to that effect is included in the demand. After delivery of the ballots as provided by section 16.1-15-08, the canvassing board shall review the ballots to identify any ballot that contains a write-in vote. The county canvassing board shall tally and canvass any write-in vote in the same manner as lawful or qualifying write-in votes if the canvassing board is able to clearly ascertain the intent of the voter from examining the ballot because the write-in candidate's name has been written on the ballot opposite the office to be voted for or because of any other cogent evidence of intent.
  - e. Write-in votes which constitute five percent or less of the votes cast by the voters for the candidate receiving the most votes for that office, except in the case of a primary election in which enough votes were cast as write-in votes to qualify a name for the general election ballot. This percentage is to be calculated based on the total number of write-in votes tabulated by the voting equipment in the precincts of the county in which that office was on the ballot.
  - f. Write-in votes that do not need to be individually canvassed based on the requirements of this subsection must be listed on the official canvass report as "scattered write-ins".

2. An individual who intends to be a write-in candidate for president of the United States or for a statewide nonpartisan or a judicial district office at any election or a statewide partisan office at the general election shall file a certificate of write-in candidacy with the secretary of state by four p.m. on the twenty-first day before the election. The certificate must contain the name and address of the candidate and be signed by the candidate. Before the thirteenth day before the election, the secretary of state shall certify the names of the candidates to each county auditor as write-in candidates.
3. An individual who intends to be a write-in candidate at the general election for president of the United States shall file a certificate of write-in candidacy with the secretary of state by four p.m. on the twenty-first day before the general election. The certificate must contain the names and addresses of the candidates for presidential electors for that presidential candidate and a certification of acceptance signed by each candidate for elector. The candidate shall sign the certificate. The certificate may also include the name and address of a candidate for vice president of the United States and a certification of acceptance signed by that candidate. The secretary of state shall prescribe the form of the certificate of write-in candidacy and the certification of acceptance. Before the thirteenth day before the election, the secretary of state shall certify the names of the presidential candidates and the presidential electors to each county auditor as write-in candidates.
4. An individual who intends to be a write-in candidate for nomination to any legislative office or any statewide partisan office at a primary election shall file a certificate of write-in candidacy with the secretary of state before four p.m. on the fourth day before the election. The certificate must include a signed affidavit that includes the name and address of the candidate and an affirmation that the candidate has reviewed the requirements to hold the office and is qualified to serve if elected.
5. An individual who intends to be a write-in candidate at the general election for any legislative district office shall file a certificate of write-in candidacy with the secretary of state. The certificate must contain the name, address, and signature of the candidate. Certificates must be filed by four p.m. on the fourth day before the election. When the candidate files a certificate, the candidate also shall file the contribution statement provided for under section 16.1-08.1-02 complete through the day of the filing of the certificate.
- ~~5-6.~~ A certificate under ~~this section~~ subsection 2, 3, or 5 is not required when:
  - a. No names will appear on the ballot for an office;
  - b. The number of candidates appearing on the ballot for an office is less than the number to be elected; or
  - c. The number of candidates appearing on the ballot for a party office is less than the number of nominations a party is entitled to make.
- ~~6-7.~~ An individual required to file a certificate of write-in candidacy may not seek more than one office appearing on the primary and general election ballots."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1289: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1289 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1290: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**



recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1290 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1292: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1292 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1296: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends  
**DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1296 was  
placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1298: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends  
**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT**  
**PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1298 was placed on  
the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new subdivision to subsection 2 of section  
57-38-30.3 of"

Page 1, remove line 2

Page 1 line 3, remove "to"

Page 2, remove line 8

Page 2, line 10, remove the overstrike over ";and"

Page 2, remove the overstrike over lines 11 and 12

Page 6, line 15, remove the overstrike over "forty"

Page 6, line 15, remove "seventy"

Page 6, line 28, remove the overstrike over "thirty"

Page 6, line 28, remove "forty-five"

Page 7, remove lines 1 through 5

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1302: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1302 was placed  
on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a  
legislative management study of voter registration.

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - VOTER**

**REGISTRATION.** During the 2015-16 interim, the legislative management shall  
consider studying voter registration and policies to implement a system of voter  
registration, including provisions necessary to allow same day voter registration. The  
legislative management shall report its findings and recommendations, together with  
any legislation required to implement the recommendations, to the sixty-fifth  
legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1310: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1310 was placed on the Sixth order on the calendar.

Page 1, line 20, after the first "the" insert "company's"

Page 1, line 20, overstrike "comprised in the formation of the company" and insert immediately thereafter ", as provided under section 26.1-13-02"

Page 1, line 24, overstrike "company may not exceed thirty-five percent of the"

Page 2, line 1, overstrike "gross" and insert immediately thereafter "net"

Page 2, line 1, overstrike "previous" and insert immediately thereafter "current"

Page 2, line 1, overstrike "for" and insert immediately thereafter "in cities with a population over ten thousand may not exceed thirty-five percent of"

Page 2, line 1, remove the overstrike over "gross"

Page 2, line 1, remove "net"

Page 2, line 2, overstrike "in cities with a population over ten thousand" and insert immediately thereafter "of the previous year"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1322: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1322 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of special assessments."

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - SPECIAL ASSESSMENTS.** During the 2015-16 interim, the legislative management shall consider studying the use of special assessments by political subdivisions. The study must include how special assessment and improvement districts across the state are determined and created, how administrative costs are calculated in determining project costs, how project costs are distributed among affected property owners, and how excess revenues and fees collected by the special assessment and improvement districts are handled. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1355: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1355 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "57-38.1-01.36" with "57-38-01.36"

Page 1, line 8, after "scholarship" insert "endowment"

Page 1, line 9, after "scholarship" insert "endowment"

Page 1, line 23, replace "taxable" with "calendar"

Page 1, line 23, after the underscored period insert: "If charitable gifts reported to the commissioner under this section exceed the limits on tax credits for investments imposed by this section, the credit must be allowed to taxpayers in the chronological order of their charitable gifts made as determined from the forms filed under this section.

5. A charitable gift used as the basis for a credit claimed under this section may not be used as the basis for the claim of a credit under any other provision of this chapter.
6. Within thirty days after the date on which a charitable gift is made under this section, the scholarship endowment fund shall file with the tax commissioner completed forms, prescribed by the tax commissioner, which show the following:
  - a. The name, address, and federal identification number of the corporation that made the charitable gift;
  - b. The name and address of the parents choice tax credit scholarship fund that received the charitable gift;
  - c. The dollar amount of the charitable gift; and
  - d. The date of the charitable gift."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1361: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1361 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "held a meeting for a period of two years or more" with "met regularly or performed its assigned functions"

Page 1, line 11, after "the" insert "committee shall report its findings to the"

Page 1, line 10, after "management" insert ", which"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1363: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1363 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 11-21 of the North Dakota Century Code, relating to liability risk coverage for public administrators; and to provide an expiration date.

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

**SECTION 1.** A new section to chapter 11-21 of the North Dakota Century Code is created and enacted as follows:

##### Liability coverage for public administrators.

The county in which a noncorporate public administrator is appointed must provide liability risk coverage for services provided by that public administrator while acting within the role of public administrator.

**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 1376: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1376 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1377: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1377 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create the next biennium K-12 fund; to"

Page 2, after line 3, insert:

**"SECTION 2.**

**Next biennium K-12 fund.**

There is created in the state treasury the next biennium K-12 fund. The fund consists of oil and gas tax revenues deposited pursuant to chapter 57-51.1. Moneys in the fund may be spent, pursuant to legislative appropriations, for elementary and secondary education purposes.

Page 2, line 6, overstrike "**(Effective through June 30, 2015) State share of oil and gas taxes -**"

Page 2, overstrike lines 7 through 17

Page 2, line 18, overstrike "**(Effective after June 30, 2015)**"

Page 2, line 22, overstrike "The next three hundred forty-one million seven hundred ninety thousand dollars into"

Page 2, line 23, overstrike "the property tax relief sustainability fund" and insert immediately thereafter "The next seven hundred twelve million dollars into the next biennium K-12 fund"

Page 2, line 25, replace "five hundred fifteen million two hundred ten" with "two hundred fifty million"

Page 2, line 30, replace "forty" with "twenty-five"

Page 3, line 3, after "commissioner" insert "and for royalty, bonus, and other revenues received for deposit into the strategic investment and improvements fund"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1401: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1401 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with " for an Act to provide for a legislative management study of sales and use taxation application for purchases by contractors on behalf of an exempt entity.

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY.** During the 2015-2016 interim, the legislative management shall consider studying sales and use taxation application for purchases by contractors on behalf of an exempt entity. The legislative management shall report its findings and recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1405: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1405 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1409: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1409 was placed on the Sixth order on the calendar.

Page 3, line 4, after "funds" insert "unless the legislative assembly authorizes the use of state general fund money as matching funds"

Page 3, line 7, after "grantee" insert "if the grant exceeds two hundred fifty thousand dollars and expenditures may not exceed ten percent of the grant to a grantee if the grant is two hundred fifty thousand dollars or less"

Page 4, line 1, after "four" insert "eight"

Page 4, line 1, remove the overstrike over "~~percent of the amount available under this subsection~~"

Page 4, line 1, remove "revenues"

Page 4, line 3, replace "twenty-five" with "twenty"

Page 4, line 4, replace "fifty" with "forty"

Page 8, line 3, after "four" insert "eight"

Page 8, line 3, remove the overstrike over "~~percent of the amount available under this subsection~~"

Page 8, line 3, remove "revenues"

Page 8, line 5, replace "twenty-five" with "twenty"

Page 8, line 6, replace "fifty" with "forty"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1412: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1412 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1417: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1417 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "who served in any war in which" and insert immediately thereafter "of"

Page 1, line 9, overstrike "has been engaged"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1420: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1420 was placed on the Sixth order on the calendar.

Page 1, line 1, after "57-38" insert "and a new subdivision to subsection 7 of section 57-38-30.3"

Page 1, line 9, remove "this"

Page 1, line 9, after "section" insert "2"

Page 1, line 9, remove "by"

Page 1, line 10, replace "this chapter" with "under section 57-38-30 or 57-38-30.3"

Page 1, line 14, remove "actual"

Page 1, line 19, remove "C corporation, an individual, an S corporation, or a partnership qualifies for the"

Page 1, line 20, replace "credit under this section" with "passthrough entity entitled to the credit under this section must be considered to be the taxpayer for purposes of calculating the credit. The amount of the allowable credit must be determined at the passthrough entity level. The total credit determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity. An individual taxpayer may take the credit passed through under this subsection against the individual's state income tax liability under section 57-38-30.3"

Page 2, line 2, remove the second "of"

Page 2, line 3, replace "the credit" with "paid"

Page 2, line 3, replace "computed as" with "used to compute"

Page 2, line 3, after "deduction" insert "or credit under this chapter"

Page 2, after line 3, insert:

"e. The credit allowed under this section may not exceed the taxpayer's tax liability."

Page 2, line 11, remove "tax"

Page 2, line 12, after "57-38-30" insert "or 57-38-30.3"

Page 2, line 16, replace "is required to" with "shall"

Page 2, line 18, after the first "the" insert "tax"

Page 2, line 20, replace "certify in writing" with "provide"

Page 2, line 27, remove "C corporation, an individual, an S corporation, or a partnership qualify for a"

Page 2, replace lines 28 through 31 with: "passthrough entity entitled to the credit under this section must be considered to be the taxpayer for purposes of calculating the credit. The amount of the allowable credit must be determined at the passthrough entity level. The total credit determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity. An individual taxpayer may take the credit passed through under"

this subsection against the individual's state income tax liability under section 57-38-30.3"

Page 3, line 2, remove "taxpayer has included the amount of the"

Page 3, line 2, remove "upon which the"

Page 3, line 3, replace "amount of the credit was computed as a" with "is used to compute another"

Page 3, line 3, after "deduction" insert "or credit under this chapter"

Page 3, line 6, remove ", and has applied to the tax commissioner for the tax credits"

Page 4, line 9, replace "department of revenue" with "tax commissioner"

Page 4, line 18, remove "department of"

Page 4, line 19, replace "revenue" with "tax commissioner"

Page 4, line 21, replace "that" with "the"

Page 4, line 29, remove "taken. The"

Page 4, line 30, replace "taxpayer is subject to the" with "and pay"

Page 4, line 30, replace "provisions of this section" with "as provided in section 57-38-45"

Page 5, line 7, after "compensation" insert "reported on the federal form W-2 or 1099"

Page 6, after line 7, insert:

"9. Except as provided in section 57-38-59.3, a production company is subject to the income tax withholding requirements under sections 57-38-59 and 57-38-60.

**SECTION 2.** A new subdivision to subsection 7 of section 57-38-30.3 the North Dakota Century Code is created and enacted as follows:

The film production tax credit under section 1 of this Act."

Renumber accordingly

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

**HB 1422: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1422 was placed on the Eleventh order on the calendar.

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

**HB 1427: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING). HB 1427 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "or six inches from the top of the visor"

Page 1, line 12, replace "twenty" with "thirty-five"

Page 1, line 15, remove "The director may provide exemptions from this subsection for front"

Page 1, remove lines 16 and 17

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1444: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1444 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the remainder of the bill with "for an Act to create and enact a new subsection to section 54-14-04.3 of the North Dakota Century Code, relating to the termination of employment and personal service contracts."

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

**"SECTION 1.** A new subsection to section 54-14-04.3 of the North Dakota Century Code is created and enacted as follows:

Every employment or personal services contract of a definite term with any state agency, including the state board of higher education and institutions under the control of the state board, must contain a provision that allows for early termination for cause, without incurring any obligation for payment through the end of the term of the contract. Severance payment may be provided, in the event of early termination, only as provided under this section."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1445: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1445 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1462: 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 1462 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax credits for charitable contributions to private education institutions; to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to income tax credits for charitable contributions to private education institutions; and to provide an effective date.

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

**SECTION 1. AMENDMENT.** Section 57-38-01.7 of the North Dakota Century Code is amended and reenacted as follows:

**57-38-01.7. Income tax credit for charitable contributions - Limitation.**

1. At the election of the taxpayer, there must be allowed, subject to the applicable limitations provided in this subsection, as a nonrefundable credit against the income tax liability under section 57-38-30 or, in the case of contributions by a passthrough entity, under section 57-38-30.3 for the taxable year, an amount equal to fifty percent of the aggregate amount of charitable contributions made by the taxpayer during the year to nonprofit private institutions of higher education located within the state or to the North Dakota independent college fund. ~~The amount allowable as a credit under this subsection for any taxable year may not exceed twenty percent of the corporation's total income tax under this chapter for the year, or two thousand five hundred dollars, whichever is less.~~
2. At the election of the taxpayer, there must be allowed, subject to the applicable limitations provided in this subsection, as a nonrefundable



credit against the income tax liability under section 57-38-30 or, in the case of contributions by a passthrough entity, under section 57-38-30.3 for the taxable year, an amount equal to fifty percent of the aggregate amount of charitable contributions made by the taxpayer during the year directly to nonprofit private institutions of secondary education, located within the state. ~~The amount allowable as a credit under this subsection for any taxable year may not exceed twenty percent of the corporation's total income tax under this chapter for the year, or two thousand five hundred dollars, whichever is less.~~

3. A passthrough entity entitled to a credit under this section must be considered to be the taxpayer for purposes of this section and the amount of the credit allowed must be determined at the passthrough entity level. The amount of the total credit determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity.
4. For purposes of this section, the term "nonprofit private institution of higher education" means only a nonprofit private educational institution located in the state of North Dakota which normally maintains a regular faculty and curriculum, which normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, and which regularly offers education at a level above the twelfth grade. The term "nonprofit private institution of secondary education" means only a nonprofit private educational institution located in North Dakota which normally maintains a regular faculty and curriculum approved by the state department of public instruction, which normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, and which regularly offers education to students in the ninth through the twelfth grades.
- 4-5. For purposes of this section, a taxpayer may elect to treat a contribution as made in the preceding taxable year if the contribution and election are made not later than the time prescribed in section 57-38-34 for filing the return for that taxable year, including extensions granted by the commissioner.

**SECTION 2.** A new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

Income tax credit for passthrough entity contributions to private education institutions under section 1 of this Act.

**SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable years beginning after December 31, 2014."

Renumber accordingly

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

**HB 1463: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1463 was placed on the Sixth order on the calendar.

Page 1, line 19, after the period insert "An employer is not required to provide an accommodation that would disrupt or interfere with the employer's normal business operations; threaten an individual's health or safety; contradict a business necessity of the employer; or impose an undue hardship on the employer, taking into consideration the size of the employer's business, the type of business, the financial resources of the employer, and the estimated cost and extent of the accommodation."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1465: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1465 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1468: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1468 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1474: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1474 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the consolidation of elections."

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - CONSOLIDATION OF ELECTIONS.** During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of consolidating all political subdivision and school district elections with the statewide primary election and the holding of all special elections on other specified dates during any year. If the legislative management conducts the study, the legislative management shall seek input and participation from the secretary of state; representatives of cities, counties, school districts, and other political subdivisions; and representatives of political parties. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3024: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3024 was placed on the Sixth order on the calendar.

Page 3, line 13, after "resolution" insert "by certified mail, return receipt requested,"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3026: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3026 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3032: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3032 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**