

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

\* \* \* \* \*

Bismarck, February 3, 2015

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

The prayer was offered by Sister Anna Rose, St. Vincent's Care Center, Bismarck.

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

A quorum was declared by the Acting Speaker.

## SIXTH ORDER OF BUSINESS

**ACTING SPEAKER DEVLIN DEEMED** approval of the amendments to HB 1094, HB 1194, HB 1208, HB 1246, HB 1268, HB 1309, HB 1334, and HB 1364.

HB 1364, as amended, was rereferred to the **Appropriations Committee**.

HB 1094, HB 1194, HB 1208, HB 1246, HB 1268, HB 1309, and HB 1334, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## SECOND READING OF HOUSE BILL

**HB 1188:** A BILL for an Act to amend and reenact sections 15.1-12-03 and 15.1-12-05 of the North Dakota Century Code, relating to school district annexations.

## 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 61 YEAS, 31 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Beadle; Becker, Rick C.; Boehning; Boschee; Carlson; Delmore; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kiefert; Klein; Koppelman, B.; Kreidt; Kretschmar; Larson; Lefor; Looyen; Louser; Martinson; Meier; Muscha; Nathe; Nelson, M.; Olson; Owens; Porter; Rohr; Sanford; Schatz; Schneider; Schreiber; Beck; Seibel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Weisz

**NAYS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Bellew; Boe; Brabandt; Brandenburg; Damschen; Delzer; Devlin; Glassheim; Kempenich; Klemin; Koppelman, K.; Laning; Maragos; Mitskog; Mock; Monson; Mooney; Nelson, J.; Onstad; Oversen; Paur; Pollert; Ruby; Schmidt; Silbernagel; Vigasaa; Wallman; Zubke

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

Engrossed HB 1188 passed.

\*\*\*\*\*

## SECOND READING OF HOUSE BILL

**HB 1195:** A BILL for an Act to amend and reenact subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to carrying of a firearm concealed in a school.

## 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 53 YEAS, 38 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Headland; Hofstad; Johnson, D.; Kading; Karls; Kasper; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Looyesen; Louser; Monson; Nathe; Nelson, J.; Olson; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Schreiber Beck; Seibel; Skarphol; Steiner; Streyle; Strinden; Thoreson; Toman; Vigasaa; Weisz

**NAYS:** Amerman; Anderson, D.; Anderson, P.; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hogan; Holman; Hunsakor; Johnson, M.; Keiser; Kelsh; Kretschmar; Lefor; Martinson; Meier; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Owens; Paur; Sanford; Schneider; Silbernagel; Sukut; Trottier; Wallman; Zubke

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

Engrossed HB 1195 passed.

\*\*\*\*\*

### **MOTION**

**REP. VIGESAA MOVED** that a committee of two be appointed to escort Miss North Dakota, Jacky Arness, to the podium, which motion prevailed.

### **REMARKS OF MISS NORTH DAKOTA, JACKY ARNESS**

Thank you, Mr. Speaker, Distinguished Representatives. Thank you for having me today. I'll just give you a little bit of a back-story here before I launch into speaking briefly about some of the issues that I'm here for today.

I got involved with the Miss America Organization my sophomore year at Bethel University. I'm a senior Honors Program double-major in Political Science and Biblical & Theological Studies. Though I'm taking the year off to fulfill my duties as Miss North Dakota, I will wrap up my undergraduate studies after this year. After graduating I hope to return to the Middle-East, where I spent time studying in 2013, and learn Arabic. I then plan to attend Law School focusing on International Law. As of right now I foresee myself either working in foreign policy, or for a non-profit or private firm in litigation and mediation. While at Bethel I served as a Freshman and Sophomore Senator, and my Junior year I served as Student Body Vice President, in addition to other campus activities.

Getting to represent my home state at the Miss America competition was one of the greatest honors of my life, and I anticipate that it will always be one of my life's highlights. I was selected as the "Judge's Choice" finalist for the Top 16, and represented North Dakota live on ABC on September 14th. This is a time of great change for North Dakota, I know that that is no secret, especially at a gathering such as this. Thus, I was thrilled and proud to represent North Dakota on the national stage at a time when we are making headlines and waves all over the country. But an even greater honor came earlier that evening. I was selected by my peers to receive the Miss Congeniality award, and for the first time in television history, this award was presented live as part of the televised pre show. To be chosen as Miss Congeniality our chairman and CEO described the young woman as needing to be the most "positive, helpful, inspirational, and the young woman that the others love the most". Flattering words to be sure, and to say that I was overwhelmingly humbled and thrilled would still be an understatement. This is a group of women whom I admire, respect, and love beyond articulation, at least in the time I have with you today.

I was also selected as Miss Congeniality both years that I competed for Miss North Dakota. All this being said, I often get asked "why" I believe others chose me. I've more often than not been at a loss as to an explanation for why I feel others voted for me and not someone else, but such inquiries have caused me to give it considerable thought. I showed up at Miss America just like anyone else. I came to do my best and represent myself, my state, and my organization, but I also came prepared to have the best experience of my life. I knew that every day I woke up at Miss America was going to be the new best day of my life. I got to spend a special and unique time with remarkable women who will be some of my life-long best friends. Being there for them and supporting them as we all went through this wonderful, but stressful, experience together was incredibly important to me.

So what has my “considerable thought” provided me with? Well I’ll tell you. Growing up in North Dakota has been a privilege. I firmly believe that the opportunities provided here and the general culture of neighborliness, kindness and generosity shaped me into the person I am today. I’ve never known any other way to treat people than to listen to them and learn their stories, identify common ground, build consensus, be an aid and resource in times of need, strive for excellence and care deeply about the condition of others. Living in North Dakota provided that fertile and supportive environment. To say it more plainly, I guess I have always lived my life in a “state of congeniality”.

After the Miss America competition, some of my primary responsibilities include representing and advocating for the Miss North Dakota Scholarship Organization, and speaking with students in our North Dakota schools. Thus far, I’ve been able to speak with over 15,000 students and discuss issues that are important to me such as relationship building, leadership, failure, goal-setting, and positive decision making.

What I emphasize with students is that the choices that they make today will largely determine the opportunities that are available to them in the future. Their actions and words matter. Though in my school presentations I use words like “friendship” and “leadership”, the academic foundation of my message is the idea of “culture creation”. At developmentally appropriate levels, I address that as individuals we are either actively or passively involved in creating and/or perpetuating the environments we participate in every single day. Individual persuasions and actions translate into group opinions and actions. How we present ourselves and how we treat others matters. Our contributions to society can either be positive or negative, as can our lack of contribution. Am I creating something valuable? Am I benefitting the broader community? What am I helping to build that will last? Good leaders, I tell students, are not influential just because they have a position of leadership. In fact, those things can be quite different. Rather, good leaders set an example for others by making decisions and taking actions that uplift the broader community. I am hoping to get to as many more schools as possible this year because I am passionate about the enthusiasm of students and the impact that they can have.

My belief that collaboration and camaraderie are the most effective tools for change has been solidified by my time in the Miss America Organization. So as a “culture creator” I must ask what my words, what my actions, and what my treatment of others is doing to make my community and make society better. I am responsible. You are responsible. Our students and youth are responsible. We are responsible.

I got involved with the Miss America Organization for the scholarship opportunity. What I stayed for was the people that I met. I think most people who come to our great state would say something similar. They came for the opportunity, but they stayed because of the thing that truly sets North Dakota above the rest, the people. I pray that in this time of great change for us all that we never lose that core identity. I hope we never become a place where others don’t feel welcomed, supported, and celebrated. No matter where I live, no matter what I do, my upbringing in North Dakota will always contribute to my worldview. I will strive to live my life in a “state of congeniality”. Ladies and Gentlemen, as I close I will pose to you a single question, different than the questions I present to students, but with the same message and intent. “What state do you live in?”

Thank you.

#### MOTION

**REP. VIGESAA MOVED** that the remarks of Jacky Arness be printed in the journal, which motion prevailed.

#### MOTION

**REP. MONSON MOVED** that the House reconsider its action whereby Engrossed HB 1434 passed, which motion failed on a verification vote.

#### SECOND READING OF HOUSE BILL

**HB 1251:** A BILL for an Act to create and enact a new section to chapter 15.1-16 of the North Dakota Century Code, relating to school district negotiations; and to amend and reenact sections 15.1-15-04 and 15.1-16-13 of the North Dakota Century Code, relating to school district contract renewals and negotiations.

**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.; Becker, Rich S.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Headland; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Lefor; Looyson; Louser; Meier; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz

**NAYS:** Amerman; Anderson, P.; Beadle; Becker, Rick C.; Boschee; Delmore; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kelsh; Kretschmar; Maragos; Martinson; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Olson; Onstad; Oversen; Schatz; Schneider; Strinden; Wallman; Zubke

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

Engrossed HB 1251 passed.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1315:** A BILL for an Act to amend and reenact section 15.1-16-21 of the North Dakota Century Code, relating to salary increases for unfillable teaching positions; 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 60 YEAS, 32 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Headland; Hofstad; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Looyson; Louser; Meier; Monson; Nathe; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz

**NAYS:** Amerman; Anderson, P.; Beadle; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hogan; Holman; Kelsh; Kretschmar; Lefor; Maragos; Martinson; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Sanford; Schatz; Schneider; Wallman; Zubke

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

Engrossed HB 1315 passed but the emergency clause failed.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1073:** A BILL for an Act to provide for a legislative management study.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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:** Frantsovog; Speaker Belter

Engrossed HB 1073 passed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1159:** A BILL for an Act to amend and reenact section 65-05-30 of the North Dakota Century Code, relating to health care provider use of workers' compensation claim information; 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 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:** Frantsovog; Speaker Belter

Engrossed HB 1159 passed and the emergency clause was declared carried.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1349:** A BILL for an Act to create and enact a new subsection to section 54-17-07.3 and a new section to chapter 54-17 of the North Dakota Century Code, relating to the establishment of an essential service worker home ownership incentive program and essential service worker home ownership incentive fund; to provide an appropriation and transfer; 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 NOT PASS, the roll was called and there were 33 YEAS, 59 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, P.; Becker, Rich S.; Delmore; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hogan; Hunskor; Johnson, M.; Kempenich; Lefor; Maragos; Mitskog; Mock; Mooney; Muscha; Onstad; Oversen; Schatz; Schneider; Seibel; Skarphol; Steiner; Strinden; Sukut; Trottier; Wallman; Zubke

**NAYS:** Amerman; Anderson, D.; Beadle; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Headland; Hofstad; Holman; Johnson, D.; Kading; Karls; Kasper; Keiser; Kelsh;

Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looysen; Louser; Martinson; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schmidt; Schreiber Beck; Silbernagel; Streyle; Thoreson; Toman; Vigesaa; Weisz

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

Engrossed HB 1349 failed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1213:** A BILL for an Act to amend and reenact section 44-01-01 of the North Dakota Century Code, relating to eligibility requirements for appointive offices.

### 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; Becker, Rich S.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hofstad; Johnson, D.; Karls; Kasper; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looysen; Louser; Maragos; Meier; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Zubke

**NAYS:** Amerman; Anderson, P.; Becker, Rick C.; Boe; Boschee; Delmore; Delzer; Glassheim; Guggisberg; Haak; Hanson; Hawken; Headland; Hogan; Holman; Hunskor; Johnson, M.; Kading; Keiser; Kelsh; Laning; Martinson; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, M.; Olson; Onstad; Oversen; Schneider; Strinden; Wallman

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

Engrossed HB 1213 passed.

\*\*\*\*\*

### SECOND READING OF HOUSE BILL

**HB 1236:** A BILL for an Act to create and enact a new section to chapter 4-12.1 of the North Dakota Century Code or in the alternative to create and enact section 4.1-16-08.1 of the North Dakota Century Code, relating to the placement or location of a hive; and to provide for the applicability of a penalty.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 5 YEAS, 87 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Damschen; Glassheim; Meier; Monson; Steiner

**NAYS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; 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; Looysen; Louser; Maragos; Martinson; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

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

HB 1236 failed.

\*\*\*\*\*

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

**HB 1062:** A BILL for an Act to amend and reenact subsection 6 of section 39-03.1-01, sections 39-03.1-10.3 and 39-03.1-11.2, subsection 3 of section 39-03.1-14.1, subsection 1 of section 54-52-05, subsection 3 of section 54-52-17, subsection 1 of section 54-52-17.2, sections 54-52-17.14 and 54-52-28, subsection 1 of section 54-52.1-03, and sections 54-52.1-03.1, 54-52.1-03.4, 54-52.1-18, 54-52.6-09.4, and 54-52.6-21 of the North Dakota Century Code, relating to the highway patrolmen's retirement plan and the public employees retirement system defined benefit plan and defined contribution plan retirement benefits, health insurance plans, life insurance benefits, and employee assistance benefits coverage; and to provide for retroactive application.

### **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; Looysen; 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; Trotter; Vigasaa; Wallman; Weisz; Zubke

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

HB 1062 passed.

\*\*\*\*\*

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2059, SB 2097, SB 2165, SB 2211, SB 2248, SB 2291.

### **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 2079.

### **MOTION**

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

### **MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 4, 2015, which motion prevailed.

### **REPORT OF STANDING COMMITTEE**

**HB 1056: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1056 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "relating to mail ballot elections for rural fire protection district increased levy approval;"

Page 1, line 4, after the semicolon insert "to repeal section 57-15-26.3 of the North Dakota Century Code, relating to the levy limit for rural fire protection districts;"

Page 1, line 18, after "district" insert "except upon resolution adopted by the board of directors after receipt of a petition by a majority of the qualified electors residing within the district, the levy may be made in an amount not exceeding thirteen mills. After July 31, 2015, approval or reauthorization by petition of electors of increased levy authority under this section may not be effective for more than eight taxable years"

Page 1, line 18, remove the overstrike over "~~No signature on the petition may be considered valid if made~~"

Page 1, line 19, remove the overstrike over "~~more than ninety days prior to receipt of the petition:~~"

Page 1, line 20, after "directors" insert "after petition of electors"

Page 1, line 22, remove ". Upon approval or reauthorization by a majority of electors of the district"

Page 1, remove line 23

Page 2, remove line 1

Page 2, line 2, remove "in the district for a period not exceeding five taxable years"

Page 2, remove lines 19 through 31

Page 3, replace lines 1 through 30 with:

**"SECTION 2. REPEAL.** Section 57-15-26.3 of the North Dakota Century Code is repealed."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1070: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1070 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1152: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1152 was placed on the Sixth order on the calendar.

Page 1, line 4, remove the second "and"

Page 1, line 5, after "date" insert "; and to provide an expiration date"

Page 2, line 6, after "to" insert "seventy-five percent of"

Page 2, line 10, after "to" insert "seventy-five percent of"

Page 2, line 11, after "to" insert "seventy-five percent of"

Page 2, line 19, after the second "to" insert "seventy-five percent of"

Page 3, after line 17, insert:



- "9. The cumulative amount of credits allowed under this section is limited to twenty-five million dollars and this limitation must be applied based on the date of the qualifying donation."

Page 3, line 22, after "DATE" insert "- EXPIRATION DATE"

Page 3, line 22, after "for" insert "the first two"

Page 3, line 23, after "2014" insert ", and is thereafter ineffective"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1160: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1160 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1340: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1340 was placed on the Sixth order on the calendar.

Page 1, line 10, overstrike "further"

Page 1, line 10, after "with" insert "any special assessment for the improvement project. However, the protests do not bar proceeding with"

Page 1, line 11, after "specifications" insert "if the governing body funds the project with other than special assessments"

Page 1, line 13, overstrike "the portion of such improvement project, the cost of which is" and insert immediately thereafter "special assessments"

Page 1, line 15, overstrike "remainder of the"

Page 1, line 17, after the period insert "If the protests represent a majority of the area of the entire district, such protests bar any special assessment for the improvement project."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1341: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1341 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1354: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1354 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1375: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1375 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1397: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1397 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1411: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING).

HB 1411 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1423: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1423 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1447: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1447 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**