

## JOURNAL OF THE HOUSE

## Sixty-third Legislative Assembly

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Bismarck, February 28, 2013

The House convened at 8:30 a.m., with Speaker Devlin presiding.

The prayer was offered by Pastor Ryan Nordlund, Grace Lutheran Brethren Church, Bismarck.

The roll was called and all members were present except Representatives Drovdal, Schmidt, and Thoreson.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Thirty-third, Thirty-fifth, Thirty-sixth, and Thirty-seventh Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 605, line 23, remove "**Appropriations Committee**" and insert "**Industry, Business and Labor Committee.**"

Page 664, line 49, before "HB 1277" insert "Engrossed"

Page 666, line 24, before "HB 1234" insert "Engrossed"

Page 668, line 26, before "HB 1014" insert "Engrossed"

Page 668, line 47, before "HB 1017" insert "Engrossed"

Page 669, line 19, before "HB 1022" insert "Engrossed"

Page 669, line 40, before "HB 1023" insert "Engrossed"

Page 670, line 12, before "HB 1192" insert "Engrossed"

Page 670, line 39, before "HB 1228" insert "Engrossed"

Page 671, line 12, before "HB 1286" insert "Engrossed"

Page 671, line 35, before "HB 1346" insert "Engrossed"

Page 672, line 6, before "HB 1395" insert "Engrossed"

Page 672, line 14, delete "HB 1059"

Page 672, delete lines 19 through 21

Page 672, after "passed," insert ", the emergency clause carried,"

Page 689, line 8, after "present" insert "except Representative Streyle"

Page 703, line 40, delete "Engrossed HB 1327"

Page 703, line 44, delete "Engrossed HB 1327"

Page 703, after line 30 insert:

**"SECOND READING OF HOUSE BILL**

**HB 1327:** A BILL for an Act to create and enact subsection 3 to section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks; and to amend and reenact subsections 1 and 6 of section 62.1-01-01 and sections 62.1-01-03, 62.1-02-05, 62.1-02-10, 62.1-03-01, 62.1-03-05, and 62.1-04-03 of the North Dakota Century Code, relating to concealed weapons laws.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 8 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Boschee; Klein; Mooney; Muscha; Nelson, M.; Onstad; Strinden; Zaiser  
Reengrossed HB 1327 passed."

Page 664, delete lines 6 through 23

Page 664, after line 6, insert:

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

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

**NAYS:**Zaiser

**ABSENT AND NOT VOTING:**Johnson, N.

HB 1250 passed."

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

**SIXTH ORDER OF BUSINESS**

**SPEAKER DEVLIN DEEMED** approval of the amendments to Engrossed HB 1005, HB 1013, Engrossed HB 1290, Engrossed HB 1319, and Engrossed HB 1358.

Engrossed HB 1005, HB 1013, Engrossed HB 1290, Engrossed HB 1319, and Engrossed HB 1358, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. AMERMAN MOVED** that the House reconsider its action whereby Reengrossed HB 1204 passed.

**REQUEST**

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

**ROLL CALL**

The question being on the motion to reconsider the action whereby Reengrossed HB 1204 passed, the roll was called and there were 44 YEAS, 47 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Boe; Boschee; Damschen; Delmore; Frantsvog; Glasheim; Gruchalla; Guggisberg; Haak; Hanson; Hawken; Heilman; Hogan; Holman; Hunskor; Johnson, N.; Karls; Kelsh, J.; Kelsh, S.; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kretschmar; Kreun; Larson; Meier; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Sanford; Schatz; Strinden; Wall; Williams; Zaiser

**NAYS:** Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Dockter; Dosch; Fehr; Froseth; Grande; Hatlestad; Headland; Heller; Hofstad; Johnson, D.; Kasper; Keiser; Kempenich; Kiefert; Kreidt; Laning; Looyesen; Louser; Maragos; Martinson; Monson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Toman; Trottier; Vigesaa; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schmidt; Thoreson

The motion failed on a recorded roll call vote.

**SEVENTH ORDER OF BUSINESS****MOTION**

**REP. GLASSHEIM MOVED** that the report of the Minority be substituted for the report of the Majority on HB 1015, which motion failed on a verification vote.

Therefore, the report of the Majority was adopted.

**SECOND READING OF HOUSE BILL**

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; to create and enact a new subsection to section 54-44.1-18 of the North Dakota Century Code, relating to political subdivisions submitting budget information to the state budget database website; to amend and reenact section 15.1-27-25 of the North Dakota Century Code, relating to distributions of royalties; to provide an exemption; to provide for various transfers; to provide legislative intent; to provide for legislative management studies; 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 62 YEAS, 29 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Belter; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Owens; Pollert; Rohr; Ruby; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams

**NAYS:** Amerman; Anderson; Beadle; Boe; Damschen; Delmore; Glasheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Johnson, N.; Kelsh, J.; Kelsh, S.; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Paur; Porter; Strinden; Toman; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Drovdal; Schmidt; Thoreson

Engrossed HB 1015 passed but the emergency clause failed.

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### SECOND READING OF HOUSE BILL

**HB 1005:** A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer; to amend and reenact subsection 18 of section 54-11-01 and section 54-11-13 of the North Dakota Century Code, relating to the duties and salary of the state treasurer; and to provide legislative intent.

### 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 72 YEAS, 17 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson; Beadle; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Hatlestad; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Karls; Kasper; Keiser; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Toman; Vigasaa; Wall; Weisz; Williams; Zaiser; Speaker Devlin

**NAYS:** Becker; Bellew; Boe; Delzer; Grande; Gruchalla; Haak; Hanson; Hogan; Johnson, N.; Kelsh, S.; Mock; Mooney; Nelson, M.; Strinden; Trottier; Wieland

**ABSENT AND NOT VOTING:** Belter; Drovdal; Hawken; Schmidt; Thoreson

Reengrossed HB 1005 passed.

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### SECOND READING OF HOUSE BILL

**HB 1358:** A BILL for an Act to create and enact a new section to chapter 23-01 and two new subsections under section 57-51-01 of the North Dakota Century Code, relating to definitions under the oil and gas gross production tax; to amend and reenact sections 57-51-15 and 57-62-05 of the North Dakota Century Code, relating to oil and gas gross production tax allocation and the impact aid program; to provide a continuing appropriation; to provide appropriations; to provide a statement of legislative intent; to provide an effective date; 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 82 YEAS, 8 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Becker; Bellew; Dosch; Klein; Koppelman, B.; Koppelman, K.; Meier; Ruby

**ABSENT AND NOT VOTING:** Drovdal; Hawken; Schmidt; Thoreson

Reengrossed HB 1358 passed and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1319:** A BILL for an Act to create and enact sections 15.1-27-04.1, 15.1-27-04.2, and 15.1-27-45 of the North Dakota Century Code, relating to determination of state aid payable to school districts; to amend and reenact sections 15-39.1-28, 15.1-09-33, 15.1-09-39, 15.1-09-40, 15.1-09-47, 15.1-09-48, 15.1-09-49, 15.1-22-01, 15.1-27-03.1, 15.1-27-03.2, 15.1-27-17, 15.1-27-35, 15.1-27-39, 15.1-29-15, 15.1-30-04, 15.1-36-02, 40-55-08, 40-55-09, 57-15-01.1, 57-15-14, 57-15-14.2, 57-15-14.5, 57-15-17, 57-15-17.1, 57-15-31, 57-19-01, 57-19-02, 57-19-09, and 57-20-07.1 of the North Dakota Century Code, relating to the determination of state aid payable to school districts; to repeal sections 15.1-27-07.1 and 57-19-10 of the North Dakota Century Code, relating to kindergarten payments and special reserve funds; to provide an appropriation; to provide for a legislative management study; to provide for a suspension; 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 PASS, the roll was called and there were 86 YEAS, 3 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

**NAYS:** Boe; Nelson, M.; Ruby

**ABSENT AND NOT VOTING:** Drovdal; Hawken; Keiser; Schmidt; Thoreson

Reengrossed HB 1319 passed.

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### SECOND READING OF HOUSE BILL

**HB 1013:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the state library, the school for the deaf, and North Dakota vision services - school for the blind; to provide for a transfer to the general fund; to provide for the distribution of funding for gifted and talented programs and other grants; to amend and reenact sections 15.1-02-02 and 15.1-18.1-02 of the North Dakota Century Code, relating to the salary of the superintendent of public instruction and the national board certification program; to provide exemptions; to provide legislative intent; to provide an effective date; 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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Mooney;

Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Amerman; Drovdal; Hawken; Keiser; Schmidt; Thoreson

Engrossed HB 1013 passed and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1198:** A BILL for an Act to create and enact section 57-20-07.2 of the North Dakota Century Code, relating to a state-paid property tax relief credit; to amend and reenact sections 57-20-07.1, 57-20-09, and 57-20-21.1 of the North Dakota Century Code, relating to property tax statement information to identify legislative property tax relief for the subject property, priority for delinquent taxes, and the discount for early payment of property taxes; to provide an appropriation; 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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Amerman; Drovdal; Hawken; Keiser; Schmidt; Thoreson

Reengrossed HB 1198 passed.

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### SECOND READING OF HOUSE BILL

**HB 1465:** A BILL for an Act to create and enact sections 46-03-10.1 and 57-15-01.2 of the North Dakota Century Code, relating to statutory references to mills and property tax levy limitations; to repeal section 57-15-01.1 of the North Dakota Century Code, relating to property tax levies; 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 63 YEAS, 23 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Fehr; Froseth; Grande; Haak; Hatlestad; Headland; Heilman; Heller; Hofstad; Karls; Kasper; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Martinson; Meier; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Toman; Trottier; Vigesaa; Weisz; Wieland; Speaker Devlin

**NAYS:** Boschee; Delmore; Frantsvog; Glassheim; Gruchalla; Guggisberg; Hanson; Hogan; Holman; Hunskor; Johnson, N.; Kelsh, J.; Kelsh, S.; Maragos; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Wall; Williams; Zaiser

**ABSENT AND NOT VOTING:** Amerman; Drovdal; Hawken; Johnson, D.; Keiser; Monson; Schmidt; Thoreson

Engrossed HB 1465 passed.

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### SECOND READING OF HOUSE BILL

**HB 1199:** A BILL for an Act to create and enact section 57-15-02.2 of the North Dakota Century Code, relating to referral of a city, county, or park district property tax levy; 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 38 YEAS, 49 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Dockter; Dosch; Fehr; Froseth; Grande; Headland; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Looyesen; Louser; Meier; Nathe; Owens; Pollert; Porter; Rohr; Ruby; Schatz; Silbernagel; Skarphol; Streyle; Toman; Trottier; Vigesaa; Wieland

**NAYS:** Anderson; Boe; Boschee; Damschen; Delmore; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, N.; Karls; Kelsh, J.; Kelsh, S.; Klein; Klemin; Kretschmar; Kreun; Laning; Larson; Maragos; Martinson; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Rust; Sanford; Steiner; Strinden; Sukut; Wall; Weisz; Williams; Zaiser; Speaker Devlin

**ABSENT AND NOT VOTING:** Amerman; Drovdal; Hawken; Johnson, D.; Keiser; Schmidt; Thoreson

Engrossed HB 1199 failed.

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### SECOND READING OF HOUSE BILL

**HB 1239:** A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to limitation of increases in property assessments for property tax purposes; 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 1 YEAS, 85 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Koppelman, K.

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

**ABSENT AND NOT VOTING:** Amerman; Drovdal; Hawken; Hogan; Johnson, D.; Keiser; Schmidt; Thoreson

HB 1239 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1045:** A BILL for an Act to create and enact section 57-20-07.2 of the North Dakota Century Code, relating to a state-paid property tax relief credit; to amend and reenact sections 57-20-07.1, 57-20-09, 57-20-21.1, and 57-32-03 of the North Dakota Century Code, relating to contents of property tax statements, priority for delinquent taxes, and the discount for early payment of property taxes; to provide an appropriation; 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 6 YEAS, 80 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Boe; Guggisberg; Haak; Kelsh, S.; Mock; Strinden

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

**ABSENT AND NOT VOTING:** Amerman; Drovdal; Hawken; Hogan; Johnson, D.; Keiser; Schmidt; Thoreson

HB 1045 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1273:** A BILL for an Act to create and enact section 57-02-08.9 of the North Dakota Century Code, relating to property tax relief through a residential, agricultural, and commercial property tax reduction; to amend and reenact section 57-20-07.1 of the North Dakota Century Code, relating to contents of property tax statements; to repeal chapter 57-64 of the North Dakota Century Code, relating to providing property tax relief through allocation of state funding to school districts for mill levy reduction grants; 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 32 YEAS, 54 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Becker; Bellew; Boe; Boehning; Boschee; Delmore; Dosch; Fehr; Glassheim; Guggisberg; Haak; Hanson; Holman; Kasper; Kelsh, S.; Meier; Mock; Monson; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Owens; Ruby; Schatz; Silbernagel; Steiner; Strinden; Weisz; Zaiser

**NAYS:** Anderson; Belter; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Frantsvog; Froseth; Grande; Gruchalla; Hatlestad; Headland; Heilman; Heller; Hofstad; Hunskor; Johnson, N.; Karls; Kelsh, J.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Kreun; Laning; Larson; Looyen; Louser; Maragos; Martinson; Nathe; Nelson, J.; Paur; Pollert; Porter; Rohr; Rust; Sanford; Skarphol; Streyle; Sukut; Toman; Trottier; Vigasaa; Wall; Wieland; Williams; Speaker Devlin

**ABSENT AND NOT VOTING:** Amerman; Drovdal; Hawken; Hogan; Johnson, D.; Keiser; Schmidt; Thoreson



Engrossed HB 1273 failed.

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### SECOND READING OF HOUSE BILL

**HB 1318:** A BILL for an Act to create and enact a new section to chapter 57-51 of the North Dakota Century Code, relating to establishment and use of a school influx fund to address funding needs of school districts impacted by an influx of students due to oil and gas development; to amend and reenact sections 57-51-15, 57-51.1-07.5, and 57-62-06 of the North Dakota Century Code, relating to oil and gas gross production tax revenue allocation to political subdivisions; to provide an effective date; and to provide an expiration 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 21 YEAS, 66 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

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

**ABSENT AND NOT VOTING:** Brandenburg; Drovdal; Hawken; Keiser; Maragos; Schmidt; Thoreson

HB 1318 failed.

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### SECOND READING OF HOUSE BILL

**HB 1290:** A BILL for an Act to create and enact section 57-15-01.2 of the North Dakota Century Code, relating to property tax levy dollar increase limitations; to amend and reenact section 57-20-07.1 of the North Dakota Century Code, relating to contents of property tax statements; 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 57 YEAS, 31 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Dockter; Dosch; Fehr; Froseth; Grande; Hanson; Hatlestad; Headland; Heilman; Heller; Hofstad; Johnson, D.; Karls; Kasper; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kreun; Laning; Looyesen; Louser; Martinson; Meier; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Toman; Trottier; Vigesaa; Speaker Devlin

**NAYS:** Boe; Boschee; Damschen; Delmore; Frantsvog; Glassheim; Gruchalla; Guggisberg; Haak; Hogan; Holman; Hunskor; Johnson, N.; Kelsh, J.; Kelsh, S.; Kretschmar; Larson; Maragos; Mock; Monson; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Strinden; Wall; Weisz; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Amerman; Drovdal; Hawken; Keiser; Schmidt; Thoreson

Reengrossed HB 1290 passed.

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**MOTION**

**REP. DEVLIN MOVED** that the House will stand in recess until 11:10 a.m., which motion prevailed.

**THE HOUSE RECONVENED** pursuant to recess taken, with Speaker Devlin presiding.

**POINT OF PERSONAL PRIVILEGE**

**REP. VIGESAA** rose on a point of personal privilege.

**REMARKS OF REPRESENTATIVE VIGESAA**

**MR. SPEAKER:** Monday, January 21, 2013, was Martin Luther King Day and Monday, February 18, 2013, was George Washington's Birthday, both official state holidays. Both days are paid holidays for most state employees. Legislative Assembly employees are required to work both of those days. The Legislative Assembly will be in recess on Monday and Tuesday, March 4 and 5, 2013. Legislative Assembly employees will be paid for those two days.

Employees of the House have worked many hours of uncompensated overtime since the session began. In recognition of the uncompensated overtime, employees will be paid for Friday, March 1, 2013, even though the House will be in recess on that day.

**REQUEST**

**REP. VIGESAA REQUESTED** that his remarks be printed in the Journal, which request was granted.

**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, March 6, 2013, which motion prevailed.

**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: HB 1005, HB 1198, HB 1290, HB 1319, HB 1465.

**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: HB 1033, HB 1059, HB 1170, HB 1210, HB 1261, HB 1422, HCR 3028.

**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: HB 1145.

**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: HB 1231, HB 1247, HB 1272.

**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: HB 1233, HB 1289, HB 1306, HB 1312, HB 1362, HB 1405, HB 1424, HB 1439.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1003, HB 1023, HB 1192, HB 1283.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1008, HB 1016, HB 1020, HB 1153, HB 1302.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your

favorable consideration is requested on: HB 1013, HB 1358.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, the emergency clause failed, and your favorable consideration is requested on: HB 1015.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, the emergency clause failed, and your favorable consideration is requested on: HB 1019, HB 1212.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, the emergency clause failed, and your favorable consideration is requested on: HB 1183, HB 1281.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2221.

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

**Buell J. Reich, Chief Clerk**

