

JOURNAL OF THE HOUSE

Sixty-third Legislative Assembly

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Bismarck, March 8, 2013

The House convened at 12:30 p.m., with Speaker Devlin presiding.

The prayer was offered by Pastor Cecil Stanton, Faith Center Church, Bismarck..

The roll was called and all members were present except Representatives Keiser, Rohr, Skarphol, and Williams.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER DEVLIN DEEMED approval of the amendments to SB 2083.

SB 2083, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2081: A BILL for an Act to create and enact a new section to chapter 14-18, relating to payment of pregnancy-related services for a surrogate or gestational carrier.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; 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; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wall; Weisz; Wieland; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Keiser; Rohr; Skarphol; Williams

Engrossed SB 2081 passed.

SECOND READING OF SENATE BILL

SB 2184: A BILL for an Act to amend and reenact section 43-06-17 of the North Dakota Century Code, relating to chiropractors practicing in hospitals.

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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; 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; Ruby; Sanford; Schatz; Schmidt; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Zaiser; Speaker Devlin

ABSENT AND NOT VOTING: Keiser; Rohr; Rust; Skarphol; Williams

Engrossed SB 2184 passed.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2055, SB 2057, SB 2058, SB 2086, SB 2090, SB 2092, SB 2093, SB 2110.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1034, HB 1036, HB 1051, HB 1069, HB 1072, HB 1073, HB 1074, HB 1081, HB 1087, HB 1089, HB 1092, HB 1094, HB 1101, HB 1108, HB 1110, HB 1155.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1070.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1285.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1028, HB 1060, HB 1103.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1028

Page 3, line 2, after "individual" insert "designated by the school district or nonpublic school as"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1060

Page 2, line 23, replace "who represent" with ", one representing"

Page 2, line 24, after "region" insert "and one representing the downstream region."

Page 3, line 31, replace "nine" with "ten"

Page 3, line 31, replace "fifteen" with "seventeen"

Re-number accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1103

Page 1, line 12, after the semicolon insert "to require reports to the legislative management;"

Page 16, after line 2, insert:

"SECTION 15. REPORTS TO LEGISLATIVE MANAGEMENT. During the 2013-14 interim, the state board of higher education shall provide periodic reports to an interim committee designated by the legislative management which provide status updates on the progress of the board in implementing and administering the provisions of section 1 of this Act."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1120.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1120

Page 1, line 2, after "emergencies" insert "; and to declare an emergency"

Page 1, after line 16, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1047, HB 1049, HB 1062, HB 1064, HB 1065, HB 1066, HB 1095, HB 1100, HB 1104, HB 1122, HB 1123, HB 1146, HB 1229, HB 1268, HCR 3001.

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 Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 11, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2039: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2039 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2042: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). SB 2042 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2044: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2044 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2048, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2048 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2049: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2049 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2052: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2052 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2053: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2053 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2056: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2056 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2069: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2069 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "may" with "shall"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2098, as engrossed: Transportation Committee (Rep. Ruby, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2098 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2139, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2139 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2143: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2143 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2174, as engrossed: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2174 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2177, as engrossed: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2177 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4005: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4005 was placed on the Tenth order on the calendar.

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

Buell J. Reich, Chief Clerk