

## JOURNAL OF THE HOUSE

## Sixty-third Legislative Assembly

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Bismarck, March 29, 2013

The House convened at 10:00 a.m., with Speaker Devlin presiding.

The prayer was offered by Representative Don Vigesaa.

The roll was called and all members were present except Representatives Anderson and K. Koppelman.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER DEVLIN DEEMED** approval of the amendments to Engrossed SB 2171, SB 2201, SB 2239, Engrossed SB 2314, Engrossed SB 2338, and Engrossed SCR 4030.

Engrossed SB 2171, as amended, was rereferred to the **Appropriations Committee**.

SB 2201, SB 2239, Engrossed SB 2314, Engrossed SB 2338, and Engrossed SCR 4030, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. KASPER MOVED** that the House reconsider its action whereby Engrossed SB 2342, as amended, failed to pass, which motion prevailed on a verification vote.

## SECOND READING OF SENATE BILL

**SB 2342:** A BILL for an Act to create and enact sections 43-15.3-10, 43-15.3-11, and 43-15.3-12 of the North Dakota Century Code, relating to wholesale drug distribution; to amend and reenact sections 43-15.3-01, 43-15.3-02, 43-15.3-03, 43-15.3-04, 43-15.3-07, 43-15.3-08, and 43-15.3-09 of the North Dakota Century Code, relating to wholesale drug distribution; and to provide a penalty.

## REQUEST

**REP. VIGESAA REQUESTED** that the House divide Engrossed SB 2342, as amended, which request was granted.

**DIVISION A:** Sections 1 through 9

**DIVISION B:** Section 10

## ROLL CALL

The question being on the final adoption of Division A of Engrossed SB 2342, as amended, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; 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; Klein; Klemin; Koppelman, B.; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**ABSENT AND NOT VOTING:** Anderson; Brandenburg; Koppelman, K.; Zaiser

Division A of Engrossed SB 2342, as amended, was adopted on a recorded roll call vote.

#### ROLL CALL

The question being on the final adoption of Division B of Engrossed SB 2342, as amended, the roll was called and there were 54 YEAS, 37 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boschee; Damschen; Delmore; Delzer; Dockter; Drovdal; Fehr; Frantsovog; Gruchalla; Haak; Hanson; Hatlestad; Hawken; Heilman; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Koppelman, B.; Kreun; Laning; Looyesen; Maragos; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Rohr; Rust; Sanford; Schatz; Skarphol; Steiner; Strinden; Sukut; Wall; Weisz; Williams

**NAYS:** Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Dosch; Froseth; Glassheim; Grande; Guggisberg; Headland; Heller; Hofstad; Karls; Kempenich; Kreidt; Kretschmar; Larson; Louser; Martinson; Meier; Nathe; Pollert; Porter; Ruby; Schmidt; Silbernagel; Streyle; Thoreson; Toman; Trottier; Vigasaa; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Anderson; Koppelman, K.; Zaiser

Division B of Engrossed SB 2342, as amended, was adopted on a recorded roll call vote.

#### ROLL CALL

The question being on the final passage of the amended bill, which includes Division A and Division B, which have been read, the roll was called and there were 63 YEAS, 28 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Boe; Boschee; Damschen; Delmore; Delzer; Dockter; Drovdal; Fehr; Frantsovog; Froseth; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Koppelman, B.; Kretschmar; Kreun; Laning; Larson; Looyesen; Maragos; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Rohr; Rust; Sanford; Schatz; Skarphol; Steiner; Strinden; Sukut; Wall; Weisz; Wieland; Williams

**NAYS:** Beadle; Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Dosch; Grande; Headland; Karls; Kempenich; Kreidt; Louser; Martinson; Meier; Nathe; Porter; Ruby; Schmidt; Silbernagel; Streyle; Thoreson; Toman; Trottier; Vigasaa; Speaker Devlin

**ABSENT AND NOT VOTING:** Anderson; Koppelman, K.; Zaiser

Engrossed SB 2342, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2032:** A BILL for an Act to amend and reenact section 15-10-14.2 of the North Dakota Century Code, relating to a performance and accountability report by the state board of higher education; and to provide for a performance audit.

#### 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, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Beadle; Becker; Bellew; Belter; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsh, J.; Kelsh, S.; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Kreidt; Kretschmar; Kreun; Laning; Larson;

Looyesen; Louser; Martinson; Meier; Mock; Monson; 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; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**NAYS:** Holman; Maragos; Mooney

**ABSENT AND NOT VOTING:** Anderson; Koppelman, K.; Zaiser

Engrossed SB 2032, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2196:** A BILL for an Act to amend and reenact sections 39-20-01 and 39-20-14 of the North Dakota Century Code, relating to implied consent and screening tests.

### 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 12 YEAS, 79 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Delzer; Gruchalla; Hogan; Holman; Kasper; Kelsh, S.; Klemin; Mock; Nelson, M.; Oversen; Strinden

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

**ABSENT AND NOT VOTING:** Anderson; Koppelman, K.; Zaiser

Engrossed SB 2196 failed.

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### SECOND READING OF SENATE BILL

**SB 2240:** A BILL for an Act to create and enact a new subsection to section 39-06.1-10 and a new section to chapter 39-20 of the North Dakota Century Code, relating to the twenty-four seven sobriety program; to amend and reenact subsection 7 of section 39-06.1-10, sections 39-06.1-11, 39-08-01, 39-08-01.2, 39-20-01, 39-20-03.1, 39-20-04, 39-20-04.1, and 39-20-05, subsection 6 of section 39-20-07, and section 39-20-14 of the North Dakota Century Code, relating to driving while under the influence; to provide for a legislative management study; to provide a penalty; and to provide an appropriation.

### 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 28 YEAS, 63 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Beadle; Boe; Boschee; Delmore; Drovdal; Glassheim; Gruchalla; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kelsh, J.; Kelsh, S.; Kiefert; Klein; Klemin; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Paur; Strinden; Williams

**NAYS:** Becker; Bellew; Belter; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dockter; Dosch; Fehr; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Kreidt; Kretschmar; Kreun; Laning; Larson;

Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Owens; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Speaker Devlin

**ABSENT AND NOT VOTING:** Anderson; Koppelman, K.; Zaiser

Reengrossed SB 2240 failed.

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#### SECOND READING OF SENATE BILL

**SB 2366:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for contributions to a homeless shelter; 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, 70 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Beadle; Boschee; Glassheim; Gruchalla; Guggisberg; Hatlestad; Hawken; Hogan; Johnson, N.; Kelsh, J.; Kelsh, S.; Larson; Maragos; Mock; Mooney; Muscha; Onstad; Oversen; Steiner; Sukut

**NAYS:** Becker; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Dosch; Drovdal; Fehr; Frantsvog; Froseth; Grande; Haak; Hanson; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Kreidt; Kretschmar; Kreun; Laning; Looyesen; Louser; Martinson; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Silbernagel; Skarphol; Streyle; Strinden; Thoreson; Toman; Trottier; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Devlin

**ABSENT AND NOT VOTING:** Anderson; Koppelman, K.; Zaiser

Engrossed SB 2366 failed.

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#### SECOND READING OF SENATE BILL

**SB 2370:** A BILL for an Act to create and enact section 57-06-17.5 and a new subsection to section 57-51-02.2 of the North Dakota Century Code, relating to a new natural gas gathering and collection systems property tax exemption and oil and gas gross production tax exemption; 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 15 YEAS, 76 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Boschee; Delmore; Glassheim; Gruchalla; Guggisberg; Haak; Hogan; Kelsh, S.; Mock; Mooney; Muscha; Onstad; Oversen; Strinden; Sukut

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

**ABSENT AND NOT VOTING:** Anderson; Koppelman, K.; Zaiser

Reengrossed SB 2370 failed.

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**SECOND READING OF HOUSE RESOLUTIONS ON CONSENT CALENDAR**

**SCR 4002:** A concurrent resolution directing the Legislative Management to study the feasibility and desirability of community paramedics providing additional clinical and public health services, particularly in rural areas of the state.

**SCR 4007:** A concurrent resolution directing the Legislative Management to study the growth in use of state False Claims Acts with qui tam provisions in state and local taxation matters and whether that approach is feasible and desirable in North Dakota.

**SCR 4015:** A concurrent resolution urging the Department of Career and Technical Education to identify programs and initiatives in the fields of science, technology, engineering, and mathematics, and identify opportunities for coordinated public and private sector participation.

**SCR 4019:** A concurrent resolution directing the Legislative Management to study early childhood services in the state, including the United States Department of Agriculture's food reimbursement program for early childhood service providers and the income guidelines for the Department of Human Services' child care assistance program.

**SCR 4022:** A concurrent resolution directing the Legislative Management to study the desirability of and the potential process for licensing or certifying mechanical contractors.

**SCR 4023:** A concurrent resolution directing the Legislative Management to study whether political subdivisions can become more efficient and effective to reduce costs to taxpayers.

The question being on the final adoption of the resolutions, which have been read.

SCR 4002, SCR 4007, SCR 4015, SCR 4019, SCR 4022, and SCR 4023 were declared adopted on a voice vote.

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**APPOINTMENT OF CONFERENCE COMMITTEE**

**REP. WEISZ MOVED** that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2368, which motion prevailed.

**THE SPEAKER APPOINTED** as a Conference Committee on:

**Engrossed SB 2368:** Reps. Weisz, Silbernagel, Oversen

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

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2250, SB 2265, SB 2375.

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

**MR. PRESIDENT:** The House has passed, unchanged: SCR 4002, SCR 4007, SCR 4015, SCR 4019, SCR 4022, SCR 4023.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2030, SB 2113, SB 2114, SB 2115, SB 2128, SB 2160, SB 2164, SB 2165, SB 2166, SB 2180, SB 2225, SB 2244, SB 2340, SB 2361.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2032, SB 2342.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2085.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2031, SB 2066, SB 2241, SB 2254, SB 2256, SB 2295.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2196, SB 2240, SB 2366, SB 2370.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, unchanged: HB 1191, HB 1260, HB 1340, HB 1363, HB 1454, HB 1459.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, the emergency clause failed, unchanged: HB 1283.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1166, HB 1241.

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1166**

Page 1, line 13, replace "two" with "five"

Page 1, line 13, remove "fifty"

Renumber accordingly

#### **SENATE AMENDMENTS TO HOUSE BILL NO. 1241**

Page 1, line 9, overstrike "in an establishment engaged in the retail sale"

Page 1, line 10, remove the overstrike over "~~or used as a gaming site~~" and insert immediately thereafter "at which bingo is the primary gaming activity"

Page 1, line 19, remove the overstrike over "~~or~~" and insert immediately thereafter "at the"

Page 1, line 19, remove the overstrike over "~~gaming site~~" and insert immediately thereafter "at which bingo is the primary gaming activity."

"f. The restaurant part of an establishment if an individual under twenty-one years of age is not prohibited in that part of the establishment"

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1215.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1037.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1183, HB 1366.

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

**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2368:** Reps. Weisz; Silbernagel; Oversen

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1046, HB 1097, HB 1172, HB 1176, HB 1320.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HCR 3014, HCR 3022, HCR 3023, HCR 3025, HCR 3030.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1084, HB 1129, HB 1154, HB 1225, HB 1228, HB 1253, HB 1270, HB 1292, HB 1301, HB 1350, HB 1357, HB 1359, HB 1372.

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

**MR. SPEAKER:** The President has signed: SB 2083, SB 2089, SB 2106, SB 2107, SB 2134, SB 2135, SB 2145, SB 2147, SB 2161, SB 2172, SB 2178, SB 2266, SB 2271, SB 2337.

**REPORT OF STANDING COMMITTEE**

**SB 2060: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2060 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2077, as engrossed: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2077 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2199: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2199 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2221, as engrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2221 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "amend and reenact section 24-02-37.2 of"

Page 1, line 4, replace "the North Dakota Century Code, relating to the special road committee" with "declare an emergency"

Page 1, line 8, remove "on"

Page 1, line 9, replace "July 1, 2013" with "during the period beginning with the effective date of this Act and ending June 30, 2015"

Page 1, line 15, remove "biennium beginning July 1,"

Page 1, line 16, replace "2013," with "period beginning with the effective date of this Act"

Page 1, line 21, remove "The special"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 22 with:

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

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2264, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2264 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2272: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2272 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2292: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2292 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2298, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2298 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 3, after "application" insert "; and to declare an emergency"

Page 1, line 8, overstrike "If the organization does not give" and insert immediately thereafter "A presumption may not be established in favor of"

Page 1, overstrike lines 9 through 11

Page 1, line 12, overstrike "employee's record based on one or more of" and insert immediately thereafter "The organization shall resolve conflicting medical opinions and in doing so the organization may consider"

Page 1, line 20, remove "At an administrative hearing, the organization's determination under subsection 1 is"

Page 1, replace line 21 with "If the organization's resolution of conflicting medical opinions under subsection 1 is reviewed by a hearing officer as part of a rehearing of an administrative order or by a judge as part of an appeal of a posthearing administrative order, the hearing officer or judge shall affirm the organization's resolution if a reasoning mind could reasonably conclude that the organization's resolution is supported by the greater weight of the evidence."

Page 2, line 1, remove "administrative hearings conducted on and"

Page 2, line 2, replace "after the effective date of this Act" with "all claims, regardless of date of injury"

Page 2, after line 2, insert:

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

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2299, as engrossed: 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).



Engrossed SB 2299 was placed on the Sixth order on the calendar.

Page 1, line 7, after "sections" insert "16.1-08.1-03.12,"

Page 1, line 8, remove "to repeal section"

Page 1, remove line 9

Page 1, line 10, remove "statements required of political organizations;"

Page 3, line 13 after the period insert "However, if a political committee, the only principal purpose of which is accepting contributions and making expenditures for a political purpose, incorporates for liability purposes only, the committee is not considered a corporation for the purposes of this chapter."

Page 3, line 30, after "6." insert "\"Incidental committee\" means a committee, club, association, or other group of persons that makes a contribution or expenditure, but for which making contributions and expenditures for political purposes is not its primary purpose.

7."

Page 4, line 4, replace "7." with "8."

Page 4, line 6, overstrike "8." and insert immediately thereafter "9."

Page 4, line 9, overstrike "9." and insert immediately thereafter "10."

Page 4, line 24, overstrike "and"

Page 4, line 26, after "state" insert "; and

f. An incidental committee"

Page 4, line 27, overstrike "10." and insert immediately thereafter "11."

Page 5, line 1, overstrike "11." and insert immediately thereafter "12."

Page 5, line 12, overstrike "12." and insert immediately thereafter "13."

Page 8, line 3, overstrike the first comma and insert immediately thereafter "and"

Page 8, line 3 overstrike the first "and"

Page 8, line 3 after "address" insert ", and a designation as to whether the committee is incorporated solely for the purpose of liability protection."

Page 8, line 4, overstrike "in which it receives any contribution"

Page 8, line 11, after the period insert "An incidental political committee is required to register under this section only as a result of making a reportable expenditure or contribution in the aggregate during any reporting period, but the registration under this section does not change the nature of business for the organization."

Page 15, after line 3, insert:

**"SECTION 13. AMENDMENT.** Section 16.1-08.1-03.12 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-08.1-03.12. Contribution statementsstatement of political organizationsincidental committees.**

1. An organization governed by section 527 of the Internal Revenue Code [26 U.S.C. 527], which solicits or receives contributions or makes expenditures for political purposes, shall file a statement showing the

~~name and mailing address of each contributor of an amount in excess of two hundred dollars in the aggregate for the reporting period and a listing of all expenditures of an amount in excess of two hundred dollars in the aggregate made for political purposes with the secretary of state. The statement must include the amount of each reportable contribution and the date the contribution was received. The statement must also include the amount of each reportable expenditure and the date the expenditure was made.~~incidental committee that solicits or accepts contributions for any political purpose shall file statements as required by this section.

2. ~~A preelection statement must be filed no later than the twelfth day before a primary, special, or general election and must be complete from the beginning of the calendar year through the twentieth day before the election.~~An incidental committee shall file a statement containing the aggregated total of all contributions and which lists the name and mailing address of each contributor that contributed in excess of two hundred dollars in the aggregate to the committee during a reporting period, the aggregated amount of the reportable contributions in excess of two hundred dollars, and the date the last reportable contribution was received.
3. ~~A year-end statement covering the entire calendar year must be filed no later than the thirty first day of January of the following year.~~An incidental committee required to file a statement under this section shall file the statement in the office of the secretary of state no later than the thirty-second day before the date of any primary, special, or general election. The statement must be complete from the beginning of that calendar year through the fortieth day before the date of the primary, special, or general election. The political committee shall file a complete statement for the entire calendar year no later than the thirty-first day of January of the following year in which the political committee received a reportable contribution.
4. ~~Even if such an organization~~incidental committee has not received any contributions ~~or made any expenditure~~ in excess of two hundred dollars during the reporting period, ~~the organization~~committee shall file a statement as required by this chapter.
5. A statement filed according to this section during the reporting period must show the following:
  - a. The gross total of all contributions received ~~and expenditures made~~ in excess of two hundred dollars;
  - b. The gross total of all contributions received ~~and expenditures made~~ of two hundred dollars or less; and
  - c. The cash on hand in the filer's account at the start and close of the reporting period.
- 6.5. ~~The organization~~committee shall report the occupation, employer, and principal place of business of each person, or the political committee if not already registered according to state or federal law, that contributed five thousand dollars or more in the aggregate during the reporting period."

Page 20, remove lines 10 and 11

Page 20, line 12, replace "16" with "17"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2313: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING).

SB 2313 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2343: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING).  
SB 2343 was placed on the Fourteenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**

