

JOURNAL OF THE HOUSE**Sixty-fourth Legislative Assembly**

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Bismarck, January 28, 2015

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

The prayer was offered by Pastor Phil Summa, Calvary Chapel Church, Bismarck.

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

A quorum was declared by the Acting Speaker.

SIXTH ORDER OF BUSINESS

ACTING SPEAKER DEVLIN DEEMED approval of the amendments to HB 1054.

HB 1054, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REQUEST

REP. HAWKEN REQUESTED a debate on the amendments on HB 1133, which request was granted.

SIXTH ORDER OF BUSINESS

HB 1133: REP. FROSETH (Finance and Taxation Committee) MOVED that the amendments on HJ pages 258-263 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

REP. MONSON REQUESTED a recorded roll call vote, which request was granted on a voice vote.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1133, the roll was called and there were 41 YEAS, 52 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Headland; Hofstad; Johnson, M.; Kading; Karls; Kasper; Kempenich; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Looyesen; Louser; Nathe; Olson; Owens; Paur; Pollert; Rohr; Ruby; Schatz; Steiner; Streyle; Thoreson; Toman; Trottier; Vigesaa

NAYS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Damschen; Delmore; Frantsvog; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hogan; Holman; Hunskor; Johnson, D.; Keiser; Kelsh; Kiefert; Klemin; Kretschmar; Larson; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Porter; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Strinden; Sukut; Wallman; Weisz; Zubke

ABSENT AND NOT VOTING: Speaker Belter

The proposed amendments to HB 1133 failed on a recorded roll call vote.

MOTION

REP. VIGESAA MOVED that HB 1133 be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, HB 1133 was rereferred.

MOTION

REP. VIGESAA MOVED that HB 1190, which is on the Eleventh order, be rereferred to the

Finance and Taxation Committee, which motion prevailed. Pursuant to Rep. Vigesaa's motion, HB 1190 was rereferred.

MOTION

REP. VIGESAA MOVED that HB 1454 be returned to the House floor from the **Energy and Natural Resources Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. HEADLAND REQUESTED the unanimous consent of the House to withdraw HB 1454. There being no objection, it was so ordered by the Speaker.

MOTION

REP. VIGESAA MOVED that HB 1227 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1227: A BILL for an Act to create and enact three new sections to chapter 57-38 and three new subdivisions to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to child care income tax credits; 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 36 YEAS, 57 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Delmore; Fehr; Frantsvog; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kasper; Kelsh; Kiefert; Kretschmar; Maragos; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Schneider; Strinden; Thoreson; Wallman

NAYS: Anderson, B.; Anderson, D.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Froseth; Hatlestad; Headland; Hofstad; Kading; Karls; Keiser; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Larson; Lefor; Looyesen; Louser; Martinson; Meier; Monson; Nathe; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Toman; Trottier; Vigesaa; Weisz; Zubke

ABSENT AND NOT VOTING: Speaker Belter

HB 1227 failed.

SECOND READING OF HOUSE BILL

HB 1473: A BILL for an Act create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to state reimbursement of incarceration costs for inmates in correctional facilities.

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 25 YEAS, 68 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Becker, Rick C.; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Johnson, M.; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Olson; Onstad; Oversen; Schneider; Strinden; Wallman

NAYS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.;

Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

ABSENT AND NOT VOTING: Speaker Belter

HB 1473 failed.

SECOND READING OF HOUSE BILL

HB 1221: A BILL for an Act to amend and reenact section 59-04.2-19 of the North Dakota Century Code, relating to a trustee's allocation of receipts from interests in minerals and other natural resources.

CONFLICT OF INTEREST

REP. MARAGOS STATED that he had a conflict of interest on HB 1221.

MOTION

REP. CARLSON MOVED that Rep. Maragos be allowed to vote on HB 1221, which motion prevailed.

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, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; 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

NAYS: Beadle

ABSENT AND NOT VOTING: Speaker Belter

HB 1221 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3008: A concurrent resolution urging Congress to lift the prohibition on the export of crude oil from the United States.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3008 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILL

HB 1164: A BILL for an Act to create and enact section 54-12-32 of the North Dakota Century Code, relating to ignition interlock and the twenty-four seven sobriety program; and amend and reenact subsection 7 of section 39-08-01 of the North Dakota Century Code, relating to the twenty-four seven sobriety program.

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 16 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Boschee; Delmore; Glassheim; Guggisberg; Hanson; Hogan; Kading; Maragos; Mock; Mooney; Muscha; Oversen; Pollert; Schneider; Wallman

NAYS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Haak; Hatlestad; Hawken; Headland; Hofstad; Holman; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Martinson; Meier; Mitskog; Monson; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

ABSENT AND NOT VOTING: Hunskor; Speaker Belter

HB 1164 failed.

SECOND READING OF HOUSE BILL

HB 1172: A BILL for an Act to amend and reenact subdivision c of subsection 2 of section 39-01-01 and section 39-10-03.2 of the of the North Dakota Century Code, relating to lights for volunteer services.

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, 71 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Beadle; Boschee; Delmore; Haak; Hanson; Hatlestad; Johnson, M.; Kelsh; Maragos; Meier; Mitskog; Mooney; Muscha; Nelson, J.; Nelson, M.; Olson; Onstad; Strinden; Wallman

NAYS: Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Martinson; Mock; Monson; Nathe; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

ABSENT AND NOT VOTING: Damschen; Speaker Belter

HB 1172 failed.

SECOND READING OF HOUSE BILL

HB 1204: A BILL for an Act to amend and reenact subsection 9 of section 39-06.1-05, subsection 2 of section 39-06.1-06, section 39-06.1-09, paragraph 10 of subdivision b of subsection 3 of section 39-06.1-10, and section 39-10-26 of the North Dakota Century Code, relating to yielding to authorized emergency vehicles; and to provide 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 7 YEAS, 85 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Glassheim; Laning; Maragos; Oversen; Porter; Toman

NAYS: Amerman; Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looyen; Louser; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Trotter; Vigasaa; Wallman; Weisz; Zubke

ABSENT AND NOT VOTING: Damschen; Speaker Belter

HB 1204 failed.

SECOND READING OF HOUSE BILL

HB 1324: A BILL for an Act to provide for a portion of paved four-lane highway for United States highway 52.

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 41 YEAS, 52 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Damschen; Delmore; Dockter; Frantsvog; Froseth; Haak; Hanson; Hatlestad; Hunskor; Johnson, M.; Lefor; Louser; Maragos; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Ruby; Schatz; Skarphol; Steiner; Streyle; Strinden; Sukut; Trotter; Zubke

NAYS: Amerman; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boehning; Brandenburg; Carlson; Delzer; Devlin; Dosch; Fehr; Glassheim; Guggisberg; Hawken; Headland; Hofstad; Hogan; Holman; Johnson, D.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyen; Martinson; Nathe; Nelson, J.; Pollert; Rohr; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Thoreson; Toman; Vigasaa; Wallman; Weisz

ABSENT AND NOT VOTING: Speaker Belter

HB 1324 failed.

ANNOUNCEMENT

ACTING SPEAKER DEVLIN ANNOUNCED that Rep. Kretschmar will be the Parliamentarian for the 2015 Legislative Session.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2036, SB 2136, SB 2164, SB 2190.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2093, SB 2120, SB 2139, SB 2146.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1087.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1087.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: The President has signed: HB 1087.

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., Thursday, January 29, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1071: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1071 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1099: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1099 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "public safety emergency" with "temporary"

Page 1, line 2, after "suspension" insert "and appeal"

Page 6, line 28, replace "**Public safety emergency**" with "**Temporary**"

Page 6, line 28, after "**suspension**" insert "**- Appeal**"

Page 6, line 29, remove "Without a hearing, the board may immediately suspend a chiropractic license for not"

Page 6, replace lines 30 and 31 with "If based on verified evidence the board determines by a clear and convincing standard that the evidence presented to the board indicates that the continued practice by the chiropractor would create significant risk of serious and ongoing harm to the public while a disciplinary proceeding is pending, and that immediate suspension of the chiropractor's license is required to reasonably protect the public from the risk of harm, the board may order a temporary suspension ex parte. For purposes of this section, "verified evidence" means testimony taken under oath and based on personal knowledge. The board shall give prompt written notice of the suspension of the chiropractor, which must include a copy of the order and complaint, the date set for a full hearing, and, upon request, a specific description of the nature of the evidence, including a list of all known witnesses and a specific description of any documents relied upon by the board in ordering the temporary suspension must be made available to the chiropractor."

Page 7, line 1, remove "A summary suspension takes effect upon written notice to the chiropractor specifying"

Page 7, replace lines 2 through 6 with

"An ex parte suspension remains in effect until a final order is issued after a full hearing or appeal under this section or until the suspension is otherwise terminated by the board.

3. The board shall conduct a hearing on the merits of the allegations to determine what disciplinary action, if any, will be taken against the chiropractor who is the subject of the ex parte suspension. That hearing must be held not later than thirty days from the issuance of the ex parte temporary suspension order. The chiropractor is entitled to a continuance of the thirty-day period upon request for a period determined by the hearing officer.

4. The chiropractor may appeal the ex parte temporary suspension order before the full hearing. For purposes of appeal, the district court shall decide whether the board acted reasonably or arbitrarily. The court shall give priority to the appeal for prompt disposition.
5. Any medical record of a patient, or other document containing personal information about a patient, which is obtained by the board is an exempt record as defined in section 44-04-17.1."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1116: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1116 was placed on the Sixth order on the calendar.

Page 1, line 2, after "23-02.1-30" insert "of the North Dakota Century Code,"

Page 1, line 3, after "Act" insert "; and to provide for application"

Page 1, line 23, overstrike "irrespective"

Page 1, line 24, overstrike "of the duration of pregnancy;"

Page 3, line 23, after "registrar" insert ", within thirty days of the birth."

Page 3, line 23, remove the overstrike over "by one of the"

Page 3, remove the overstrike over line 24

Page 3, remove the overstrike over line 25

Page 3, line 26, remove the overstrike over "such"

Page 3, line 26, after "person" insert "an individual"

Page 3, line 26, remove the overstrike over the overstruck semicolon

Page 3, line 27, remove the overstrike over "b. ~~Any other~~"

Page 3, line 27, after "person" insert "individual"

Page 3, line 27, remove the overstrike over "~~in attendance at or immediately after the birth, or in the~~"

Page 3, line 28, remove the overstrike over "~~absence of such~~"

Page 3, line 28, after "person" insert "an individual"

Page 3, line 28, remove the overstrike over "~~or~~"

Page 3, remove the overstrike over line 29

Page 3, line 30, remove the overstrike over "~~mother, the~~"

Page 3, line 30, after "person" insert "individual"

Page 3, line 30, remove the overstrike over "~~in charge of the premises where the birth occurred~~"

Page 3, line 30, remove "within five"

Page 3, line 31, remove "days after the birth"

Page 11, after line 15, insert:

"SECTION 9. APPLICATION. Under subsection 3 of section 23-02.1-13, the state department of health shall use forms that are substantially similar to the department's North Dakota parent's worksheet and certifier's worksheet for completing the North Dakota birth certificate."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1163: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1163 was placed on the Sixth order on the calendar.

Page 5, line 7, after the third "the" insert "substantial research, commercial development."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1168: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1168 was placed on the Sixth order on the calendar.

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY. The legislative management shall consider studying, during the 2015-16 interim, provisions of the North Dakota Century Code that relate to education, for the purposes of determining the requirements for school districts to demonstrate a decline in enrollment. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1192: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1192 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1202: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1202 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "accrued" with "awarded"

Page 1, line 7, remove ", whether"

Page 1, line 7, remove "or involuntarily"

Page 1, line 8, remove the overstrike over the overstruck colon

Page 1, line 9, remove the overstrike over "a: At"

Page 1, line 9, remove "at"

Page 1, line 10, remove the overstrike over the overstruck semicolon

Page 1, remove the overstrike over line11

Page 1, line 12, remove the overstrike over "e.—The employee gave the employer less than five days' written or verbal notice"

Page 1, line 13, after "2." insert "If an employee separates from employment, a private employer may withhold payment for paid time off that has been awarded by the employer but not yet earned by the employee, if at the time of hiring, the employer provided the employee written notice of the limitation on payment of awarded paid time off.

3."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1205: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1205 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1211: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1211 was placed on the Sixth order on the calendar.

Page 3, line 22, overstrike the first "make" and insert immediately thereafter "certify"

Page 3, line 22, overstrike the second "make" and insert immediately thereafter "certify"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1212: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1212 was placed on the Sixth order on the calendar.

Page 1, line 22, after "documentation" insert "of domestic violence or sexual assault"

Page 2, line 4, remove ", stalking."

Page 2, line 12, after "(3)" insert "For purposes of this subdivision, documentation of stalking must include:

- (a) A police or law enforcement record; and
- (b) A written affidavit provided by an individual who has assisted the claimant in dealing with the stalking and who is a:
 - [1] Licensed counselor;
 - [2] Licensed social worker;
 - [3] Member of the clergy;
 - [4] Director of domestic violence advocate at a domestic violence sexual assault organization as defined in section 14-07.1-01; or
 - [5] Licensed attorney.

(4)"

Page 2, line 17, overstrike "(4)" and insert immediately thereafter "(5)"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1225: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1225 was placed on the Sixth order on the calendar.

Page 2, line 6, remove "the boundaries of a military"

Page 2, line 7, replace "installation" with "any premises licensed to sell alcoholic beverages"

Page 2, line 7, remove "if the purchase and consumption of alcoholic beverages by"

Page 2, remove line 8

Page 2, line 9, remove "commanding officer of the military installation"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1229: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1229 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1255: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1255 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1256: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1256 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "; and to provide an appropriation"

Page 1, line 20, remove the overstrike over "~~traumatic~~"

Page 2, line 3, remove ". but before age"

Page 2, line 4, replace "sixty-five." with "and"

Page 2, line 4, remove "Nontraumatic"

Page 2, line 5, remove "insults include anoxia, aneurysm, and encephalopathy."

Page 2, line 6, after the second underscored comma insert "encephalopathy, aneurysm."

Page 6, remove lines 26 through 30

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1294: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (8 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). HB 1294 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1303: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1303 was placed on the Sixth order on the

calendar.

Page 2, line 6, after "3." insert "a."

Page 2, line 6, overstrike "and fees"

Page 2, after line 6, insert:

"b. Charge fees subject to any statutory limitations or requirements."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1317: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1317 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1335: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1335 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "corperation" with "corporation"

Page 3, line 25, replace "10-15-52.3" with "10-15-53.2"

Page 3, line 26, replace "10-15-52.3" with "10-15-53.3"

Page 4, line 4, replace "10-15-52.3" with "10-15-53.2"

Page 11, line 3, replace "that" with "the"

Page 12, line 16, replace "that" with "the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1338: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1338 was placed on the Sixth order on the calendar.

Page 1, line 1, remove the second "of"

Page 1, line 19, after "violence" insert ", as determined by the commission"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1346: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1346 was placed on the Sixth order on the calendar.

Page 1, line 9, remove the second "the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1351: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1351 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1393: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1393 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1404: Education Committee (Rep. Nathe, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1404 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1408: Education Committee (Rep. Nathe, Chairman) recommends **DO NOT PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1408 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk