

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

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Bismarck, March 5, 2015

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

The prayer was offered by Dr. Preston VanLoon, Sanford Health, Bismarck.

The roll was called and all members were present except Representatives Boe, Mock, Owens, and Skarphol.

A quorum was declared by the Speaker.

MOTION

REP. VIGESAA MOVED that a committee of four be appointed to escort the Honorable Jamshed Merchant, Canada's Counsel General, to the podium, which motion prevailed.

The Speaker appointed Reps. Delmore, D. Johnson, Monson, and Hofstad to the escort committee.

**Consul General Jamshed Merchant
Address to the North Dakota House of Representatives
Bismarck, North Dakota**

Mr Speaker and Representatives:

If I had known that today was going to be a day to celebrate Dr. Seuss, I would have made sure I'd have done my speech in rhyme. I do want to recognize that Dr. Seuss's colors are white and red, which are exactly the colors of Canada. So when you're wearing the hat today, you're actually wearing Canada's colors, so thank you very much for that.

It is an honour and privilege to be here today. As Canada's official representative to North Dakota, I am deeply honoured to receive this opportunity to bring greetings to you all on behalf of the Government of Canada, and indeed on behalf of all Canadians across our great country.

Thank you for taking time out of your busy legislative schedule to acknowledge the greatest partnership between two nations in the world. And thank you for passing a resolution declaring today Canada Day in North Dakota. Your resolution – along with a similar proclamation issued by Governor Dalrymple – is symbolic of the extraordinary relationship between Canada and the United States, and Canada and North Dakota, which we celebrate today.

As I read the resolution, I was struck by a number of words and phrases that remind me of the special nature of our friendship. Shared history, democracy, security; trade partners; tourism; agriculture and energy; friendship; neighbors. And peace.

Two hundred years of peaceful cooperation have created two of the greatest countries in the world that offer the best quality of life to anybody in the world today. That's what two hundred years of peace can do, and I look forward to carrying that on with you for another two hundred years or more.

I have traveled a great deal through the Upper Midwest since taking up my role as Canada's Consul General to the region in 2012. It is an enormous privilege to represent Canada in this great country, including right here in North Dakota. I have traveled across this state, visiting North Dakotans from Fargo and Grand Forks to Medora; Minot and Dickinson to Pembina and Jamestown.

Day in and day out, we like to say that Canada and the United States are "friends, partners, and allies." Everywhere I go, I see evidence that this is true. We are friends because we share heritage, culture and values. Our societies are founded on freedom, democracy and

human rights. In this part of the continent, our provinces and states have a common geography and a common environment. We share a love for our lands and waters and a commitment to protecting them. We have friends and family on both sides of the border.

The challenges we face, together, require collaboration and cooperation. And so it has been a real pleasure to see friendship and partnership grow between Midwestern U.S. states, and neighboring Canadian provinces. One way this happens is through institutions like the Council of State Governments and the International Legislators Forum.

Speaking of which, I look forward to joining you right here in Bismarck this July when North Dakota hosts the Council of State Governments – Midwestern Legislative Conference.

We are partners because we share the largest economic relationship between any two countries in the world. Canada is, without a doubt, North Dakota's number one customer. And it's not even close. Nearly 80% of what North Dakota sells to the world goes to Canada. Two-way trade in goods between Canada and North Dakota is \$6.7 billion dollars per year. That's over \$18 million per day. And this is not just trade in finished goods: it is a rich two-way supply chain of materials, commodities, and intermediate parts.

One quarter of the value of American imports from Canada was originally created in the U.S. That's why we say, "we make things together." In all, 28,500 North Dakota jobs depend on trade with Canada and Canadian investment in the state.

Let's not forget tourism. You surely appreciate the over 1 million Canadians who travel to North Dakota's cities, malls, parks, and attractions every year. In 2013, that injected \$280 million into the state's economy.

While I'm here, let me also extend an invitation to you and all North Dakotans to come on up to Canada! Your dollar goes a long way today. Visit our malls, cities, and museums.

When I think of our museums in Winnipeg, I'm reminded that Canada opened the Human Rights Museum there, a truly world-class museum focusing on the values of freedom and human rights around the world. And when I think of that, I'm reminded that at the same time, you yourselves opened up a world-class museum right here – the North Dakota Heritage Center. That's what the opportunities of the Midwest and Canada provide, and we show that it's not just a place where one flies over, it's a place to truly visit and spend time.

And we are partners in energy development. Thanks to the growth of oil production in both Canada and the United States – especially right here in North Dakota – North America is becoming more energy independent every day. But let's be clear: while the need for imported oil is declining, America will still need to import some oil for many years to come. Canada is now meeting over 40 percent of that need, and growing. Canada supplies more oil to the United States every day than any other country in the world. In fact, we just passed all of OPEC imports combined. And we are a friendly, reliable source that fully shares American values and interests. That, my friends, is what a true partnership is all about.

Having outlined how we are friends, and partners, this brings me finally to allies. For generations, Canadians and Americans have stood side by side around the world, safeguarding freedom and human rights against those who would seek to use violence and oppression to impose their own harsh ideologies on peoples who cannot defend themselves.

Canadian and American troops fought together in World War I, World War II, in the Korean War, and in Afghanistan. And today, Canada has joined the U.S. in doing our utmost to combat the depredations of terrorists in the Middle East and elsewhere, and to support the Ukrainian people in their efforts to resist Russian aggression.

Mr Speaker, Representatives: please accept my gratitude, and that of my Government, for inviting our Canadian delegation here today. I invite all of you to join us, including our fantastic Honorary Consul in North Dakota, Mr. Rod Backman, to join us at the Heritage Center this evening for our Canada Day reception, beginning at 6 pm.

There, I hope you will join me in toasting our relationship in the spirit of friends, partners, allies.

Thank you very much.

MOTION

REP. VIGESAA MOVED that the remarks of Consul General Jamshed Merchant be printed in the Journal, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

REP. CARLSON rose on a point of personal privilege.

PRESENTATION OF PROCLAMATION BY REPRESENTATIVE CARLSON
North Dakota United Read Across America Day

MR. SPEAKER:

WHEREAS, North Dakota citizens are committed to promoting reading as the catalyst for our students' future academic success, their preparation for the jobs of the future and their ability to complete in the global economy; and

WHEREAS, ND United is sponsoring Read Across America Day to celebrate the birthday of Dr. Seuss and promote reading and adult involvement in the education of our youth; and

WHEREAS, research shows that children who read and are ready to do better in school and develop a lifelong passion for the joys of reading; and

WHEREAS, ND United is working with other literacy, youth, and civic groups throughout the state to get parents, teachers, and communities involved in promoting the excitement and importance of reading on this day and every day; and

WHEREAS, North Dakotans are encouraged to ensure that every child is in a safe place reading together with a caring adult on this day and make sure we remain committed to the programs and activities that make our children proficient readers.

NOW, THEREFORE, the North Dakota House of Representatives does hereby proclaim March 5, 2015 ND United READ ACROSS AMERICA DAY.

REQUEST

REP. VIGESAA REQUESTED that the remarks of Rep. Carlson be printed in the Journal, which request was granted.

MOTION

REP. VIGESAA MOVED that SB 2134 be returned to the House floor from the **Appropriations Committee** and be rereferred to the **Education Committee**, which motion prevailed.

Pursuant to Rep. Vigesaa's motion, SB 2134 was rereferred.

MOTION

REP. VIGESAA MOVED that SB 2294 be returned to the House floor from the **Government and Veterans Affairs Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

Pursuant to Rep. Vigesaa's motion, SB 2294 was rereferred.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3013: A concurrent resolution to amend and reenact section 18 of article X of the Constitution of North Dakota, relating to constitutional authorization for the legislative assembly to provide by law for direct payments to North Dakota residents.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 18 YEAS, 72 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, P.; Beadle; Bellew; Boschee; Delmore; Dosch; Glassheim; Hanson;

Hogan; Johnson, M.; Kelsh; Mooney; Nelson, M.; Onstad; Oversen; Ruby; Schneider; Strinden

NAYS: Amerman; Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Fehr; Frantsvog; Froseth; Guggisberg; Haak; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunsakor; Johnson, D.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Monson; Muscha; Nathe; Nelson, J.; Olson; Paur; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Boe; Mock; Owens; Skarphol

HCR 3013 was declared lost on a recorded roll call vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3030: A concurrent resolution requesting Congress to propose a constitutional amendment and, if Congress does not propose an amendment, applying to Congress to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States clarifying that the rights protected under the Constitution are the rights of natural persons and not the rights of artificial entities and that spending money to influence elections is not speech under the first amendment.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 22 YEAS, 68 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunsakor; Kelsh; Mitskog; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Strinden; Wallman

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

ABSENT AND NOT VOTING: Boe; Mock; Owens; Skarphol

HCR 3030 was declared lost on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2115: A BILL for an Act to amend and reenact section 57-01-11, subsection 5 of section 57-39.2-12.1, and subsection 5 of section 57-40.2-07.1 of the North Dakota Century Code, relating to the assessment of taxes and compensation allowance to retailers for administrative expenses.

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, 1 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.;

Becker, Rick C.; Bellew; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; 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; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Delzer

ABSENT AND NOT VOTING: Boe; Mock; Owens; Skarphol

SB 2115 passed.

SECOND READING OF SENATE BILL

SB 2028: A BILL for an Act to amend and reenact subdivision b of subsection 1 of section 27-20-34 of the North Dakota Century Code, relating to transfers from juvenile to adult court.

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 88 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; 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; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Paur; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Bellew; Ruby

ABSENT AND NOT VOTING: Boe; Mock; Owens; Skarphol

SB 2028 passed.

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 12:30 p.m., Friday, March 6, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HCR 3039: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3039 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "cities and counties" with "political subdivisions"

Page 1, line 2, remove "property"

Page 1, line 2, after "tax" insert ", budgetary, and other public"

Page 1, line 6, remove "specific"

Page 1, line 7, remove "property tax"

Page 1, line 10, replace "cities and counties" with "political subdivisions"

Page 1, line 11, remove "property"

Page 1, line 11, after "tax" insert ", budgetary, and other public"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3043: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (8 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HCR 3043 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3049: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3049 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3055: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3055 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2024: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2024 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2036: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2036 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2047, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2047 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2059, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2059 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2062: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2062 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2063, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2063 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2064, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2064 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2071: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2071 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2074: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2074 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2089, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2089 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2112: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2112 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2117: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2117 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2137: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2137 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2152: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2152 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2165, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2165 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2229: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2229 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2301, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2301 was placed on the Fourteenth order on the calendar.

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

Buell J. Reich, Chief Clerk

