

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

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Bismarck, February 4, 2015

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

The prayer was offered by Marc Eidahl, New Life Church, Bismarck.

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

A quorum was declared by the Acting Speaker.

## SIXTH ORDER OF BUSINESS

**ACTING SPEAKER DEVLIN DEEMED** approval of the amendments to HB 1056, HB 1152, and HB 1340.

HB 1056, HB 1152, and HB 1340, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. VIGESAA MOVED** that HB 1032 be rereferred to the **Energy and Natural Resources Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, HB 1032 was rereferred.

## SECOND READING OF HOUSE BILL

**HB 1094:** A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to prohibiting executive branch elected officials from establishing nonprofit foundations and public corporations.

## 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 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Mooney; Oversen

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

Engrossed HB 1094 passed.

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## MOTION

**REP. VIGESAA MOVED** that HB 1208 be moved to the bottom of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1246:** A BILL for an Act to amend and reenact section 54-44.3-01.2 of the North Dakota Century Code, relating to compensation level comparisons; 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 73 YEAS, 19 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Amerman; Anderson, P.; Boschee; Delmore; Guggisberg; Haak; Hanson; Hogan; Holman; Kelsh; Mitskog; Mock; Mooney; Muscha; Onstad; Oversen; Schneider; Strinden; Wallman

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

Engrossed HB 1246 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1309:** A BILL for an Act to amend and reenact subsection 1 of section 16.1-01-12, subsection 11 of section 16.1-08.1-01, sections 16.1-08.1-03.1 and 16.1-08.1-03.2, subsection 3 of section 16.1-08.1-03.5, section 16.1-08.1-03.9, subsection 1 of section 16.1-08.1-03.12, and sections 16.1-08.1-03.13, 16.1-08.1-06, and 16.1-10-04.1 of the North Dakota Century Code, relating to campaign finance disclosure.

**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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; 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; Looysen; 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

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

Engrossed HB 1309 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1194:** A BILL for an Act to create and enact a new chapter to title 21 of the North Dakota Century Code, relating to a political subdivision borrowing funds; and to amend and reenact sections 11-11-18, 21-02-01, and 21-03-02 of the North Dakota Century

Code, relating to exemptions from statutory provisions for bonds and the definition of revenues.

#### 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, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dockter; Dosch; Fehr; 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.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wallman; Weisz; Zubke

**NAYS:** Bellew; Delzer; Olson; Ruby; Streyle; Toman

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

Engrossed HB 1194 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1268:** A BILL for an Act to provide for a legislative management study regarding taxation of state sovereign lands.

#### 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

Engrossed HB 1268 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1334:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to a fee for electric motor vehicles.

#### 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, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Bellew; Boe; Boehning;

Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Keiser; Kempenich; Kiefert; Klein; Klemin; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Mooney; Muscha; Nathe; Nelson, M.; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Trottier; Vigesaa; Weisz; Zubke

**NAYS:** Amerman; Beadle; Becker, Rick C.; Boschee; Guggisberg; Haak; Holman; Kasper; Kelsh; Koppelman, B.; Koppelman, K.; Mitskog; Mock; Nelson, J.; Olson; Onstad; Schreiber Beck; Thoreson; Toman; Wallman

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

Engrossed HB 1334 passed.

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### SECOND READING OF HOUSE BILL

**HB 1070:** A BILL for an Act to amend and reenact subdivision f of subsection 43 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for affordable housing.

### 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 74 YEAS, 18 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Carlson; Damschen; Delmore; Devlin; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Pollert; Porter; Rohr; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Toman; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Delzer; Dockter; Headland; Kading; Keiser; Klein; Louser; Olson; Owens; Ruby; Schatz; Streyle; Trottier

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1070 passed.

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### SECOND READING OF HOUSE BILL

**HB 1160:** A BILL for an Act to amend and reenact section 57-38-35.2, subsection 1 of section 57-38-45, and subsection 3 of section 57-38-62 of the North Dakota Century Code, relating to the interest rate applied to refunds and underpayments of income tax; 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 3 YEAS, 89 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Nathe; Pollert; Toman

**NAYS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim;

Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunsakor; 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; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Frantsovog; Speaker Belter

HB 1160 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1341:** A BILL for an Act to amend and reenact sections 40-22-08 and 40-22-09 of the North Dakota Century Code, relating to the size of an improvement district for improvements by special assessments; 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 14 YEAS, 78 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Carlson; Hanson; Hawken; Kasper; Koppelman, B.; Koppelman, K.; Olson; Owens; Silbernagel; Streyle; Thoreson; Toman; Weisz

**NAYS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Skarphol; Steiner; Strinden; Sukut; Trottier; Vigesaa; Wallman; Zubke

**ABSENT AND NOT VOTING:** Frantsovog; Speaker Belter

HB 1341 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1354:** 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 5 YEAS, 87 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Beadle; Boe; Monson; Nelson, J.

**NAYS:** Amerman; Anderson, B.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunsakor; 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; Mooney; Muscha; Nathe; 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

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1354 failed.

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#### **SECOND READING OF HOUSE BILL**

**HB 1423:** A BILL for an Act to amend and reenact section 15.1-19-16 of the North Dakota Century Code, relating to epinephrine autoinjectable pens.

#### **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 17 YEAS, 75 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Boschee; Glassheim; Guggisberg; Haak; Hogan; Holman; Hunskor; Kelsh; Mitskog; Mock; Muscha; Onstad; Oversen; Schneider; Wallman

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hanson; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Monson; Mooney; Nathe; Nelson, J.; Nelson, M.; Olson; Owens; Paur; Pollert; 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:** Frantsvog; Speaker Belter

HB 1423 failed.

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#### **SECOND READING OF HOUSE BILL**

**HB 1375:** A BILL for an Act to amend and reenact section 49-21-01.3 of the North Dakota Century Code, relating to price increases for essential telecommunications services.

#### **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 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; 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; Looyen; 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; Weisz; Zubke

**NAYS:** Wallman

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1375 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1397:** A BILL for an Act to amend and reenact section 43-09-11 of the North Dakota Century Code, relating to qualifications for licensure as an electrician.

**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 18 YEAS, 74 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Beadle; Boehning; Delmore; Dockter; Dosch; Fehr; Hatlestad; Hawken; Headland; Mock; Nelson, J.; Oversen; Steiner; Strinden; Toman; Trottier

**NAYS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Froseth; Glassheim; Guggisberg; Haak; Hanson; 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; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Monson; Mooney; Muscha; Nathe; Nelson, M.; Olson; Onstad; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Streyle; Sukut; Thoreson; Vigesa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1397 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1411:** A BILL for an Act to provide an appropriation to the department of labor and human rights for grants to organizations providing training and support for individuals with disabilities.

**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, 64 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Becker, Rich S.; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hogan; Holman; Hunskor; Johnson, M.; Kelsh; Meier; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Strinden; Wallman

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

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1411 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1447:** A BILL for an Act to create and enact a new subsection to section 10-32-02 of the North Dakota Century Code, relating to defining the term low-profit limited liability company; and to amend and reenact section 10-06.1-17, subsection 38 of section

10-32-02, subsections 2, 5, and 6 of section 10-32-02.2, subdivision b of subsection 1 of section 10-32-10, subsection 1 of section 10-32-114, subsection 2 of section 10-32-149, and subdivision c of subsection 1 of section 57-38-31.1 of the North Dakota Century Code, relating to low-profit limited liability companies; and to provide for codification in the event of repeal of chapter 10-32.

#### 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 22 YEAS, 70 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Beadle; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kelsh; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Oversen; Schneider; Strinden

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

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

HB 1447 failed.

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#### MOTION

**REP. VIGESAA MOVED** that HB 1208 be moved to the top of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1208:** A BILL for an Act to create and enact a new section to chapter 37-01 of the North Dakota Century Code, relating to honoring certain members of the national guard, the armed forces reserve of the United States, and the active duty forces of the United States as veterans.

#### 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; 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; Looysen; 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

**ABSENT AND NOT VOTING:** Frantsvog; Speaker Belter

Engrossed HB 1208 passed.



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**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 1045, HB 1065, HB 1162, HB 1168, HB 1220, HB 1335.

**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 1121, HB 1122, HB 1123.

**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 1146.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2149, SB 2180.

**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, February 5, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1187: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING). HB 1187 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to provide an effective date"

Page 1, line 9, replace "June 30" with "July 31"

Page 1, line 9, replace "2014" with "2015"

Page 1, remove line 10

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1248: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1248 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1257: 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 1257 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new section to chapter 34-06.1 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to unequal pay for men and women; to"

Page 1, line 14, overstrike "job descriptive"

Page 1, line 14, after the second "systems" insert "that measure earnings by quantity or quality of production"

Page 1, line 14, overstrike "increase"

Page 1, line 15, overstrike "executive training programs" and insert immediately thereafter "a bona fide factor other than gender, such as education, training, or experience"

Page 2, line 17, remove "Any one or more individuals claiming to be aggrieved by a discriminatory practice"

Page 2, remove lines 18 and 19

Page 2, line 20, remove "3."

Page 3, line 1, replace "4." with "3."

Page 3, line 4, replace "5." with "4."

Page 3, line 16, replace "6." with "5."

Page 3, line 17, remove "administrative"

Page 3, remove lines 19 through 26

Page 4, line 2, remove "dismisses the complaint or issues a"

Page 4, line 3, replace "written probable cause determination" with "completes an investigation or otherwise notifies the complainant the commissioner will be taking no further action on the complaint"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1261: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1261 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1280: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1280 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1304: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1304 was placed on the Sixth order on the calendar.

Page 1, after line 7 insert "1."

Page 1, line 9, remove "the United States government or a state government in the form of a birth"

Page 1, line 10, replace "certificate, entry document, or state-issued identification" with "any of the following"

Page 1, line 11, replace ". This" with ";

- a. The United States government in the form of a tribal identification document, military identification, passport, passport card, permanent resident card, certificate of United States citizenship, certificate of naturalization, border crossing card, visa, or other entry document that includes the individual's date of birth;
- b. A state government in the form of a birth certificate or other state-issued identification that includes the individual's date of birth;  
or

- c. A foreign government in the form of a passport, driver's license, or other foreign government-issued identity document that includes the individual's date of birth.

2. The"

Page 1, line 11, after "presumption" insert "in subsection 1"

Page 1, after line 15 insert "1. "

Page 1, line 17, remove "the United States government or a state government in the form of a birth"

Page 1, line 18, replace "certificate, entry document, or state-issued identification" with "any of the following"

Page 1, line 19, replace ". This" with ":

- a. The United States government in the form of a tribal identification document, military identification, passport, passport card, permanent resident card, certificate of United States citizenship, certificate of naturalization, border crossing card, visa, or other entry document that includes the individual's date of birth;
- b. A state government in the form of a birth certificate or other state-issued identification that includes the individual's date of birth;  
or
- c. A foreign government in the form of a passport, driver's license, or other foreign government-issued identity document that includes the individual's date of birth.

2. The"

Page 1, line 19, after "presumption" insert "in subsection 1"

Page 1, after line 23 insert "1."

Page 2, line 2, remove "the United States government or a state government in the form of a birth"

Page 2, line 3, replace "certificate, entry document, or state-issued identification" with "any of the following"

Page 2, line 3, replace ". This" with ":

- a. The United States government in the form of a tribal identification document, military identification, passport, passport card, permanent resident card, certificate of United States citizenship, certificate of naturalization, border crossing card, visa, or other entry document that includes the individual's date of birth;
- b. A state government in the form of a birth certificate or other state-issued identification that includes the individual's date of birth;  
or
- c. A foreign government in the form of a passport, driver's license, or other foreign government-issued identity document that includes the individual's date of birth.

2. The"

Page 2, line 3, after "presumption" insert "in subsection 1"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1307: 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 1307 was placed on the Sixth order on the calendar.

Page 1, line 2, after "servants" insert "; and to provide a penalty"

Page 1, line 7, overstrike "he" and insert immediately thereafter "that person"

Page 1, line 7, overstrike "another" and insert immediately thereafter "a public servant"

Page 1, line 8, overstrike "his" and insert immediately thereafter "the public servant's"

Page 1, line 9, overstrike the first "him" and insert immediately thereafter "the public servant"

Page 1, line 9, overstrike the second "him" and insert immediately thereafter "the public servant"

Page 1, line 9, overstrike "his" and insert immediately thereafter "the public servant's"

Page 1, line 12, overstrike "he" and insert immediately thereafter "the person"

Page 1, line 16, overstrike "person" and insert immediately thereafter "individual"

Page 1, line 18, after "3." insert:

- "a. A person is guilty of an offense if the person files any lien or encumbrance against real or personal property of a public servant if that person knows or has reason to know the lien or encumbrance is false or contains any materially false or fraudulent statement or representation.
- b. An offense under this subsection is a class A misdemeanor, unless the person previously pled guilty or had been convicted under this subsection on two or more occasions, in which event the offense is a class C felony.

4."

Page 1, line 18, overstrike "no" and insert immediately thereafter "not a"

Page 1, line 18, overstrike "a person" and insert immediately thereafter "an individual"

Page 1, line 19, overstrike "he" and insert immediately thereafter "the individual"

Page 1, remove lines 21 through 23

Page 2, remove lines 1 and 2

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1347: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1347 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1362: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1362 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1378: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1378 was placed on the

Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1433: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1433 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1455: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1455 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 regarding contract nursing agencies in the state.

**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, issues related to contract nursing agencies in the state. The study shall consider the desirability and feasibility of enacting contract nursing agencies legislation similar to legislation in Minnesota, Maryland, and Illinois. 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**

**HCR 3012: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3012 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**

