

JOURNAL OF THE HOUSE

Sixty-fourth Legislative Assembly

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Bismarck, February 6, 2015

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

The prayer was offered by Rep. Karen Rohr.

The roll was called and all members were present except Representatives D. Anderson, Belter, Frantsvog, Hawken, K. Koppelman, and Wallman.

A quorum was declared by the Acting Speaker.

SIXTH ORDER OF BUSINESS

ACTING SPEAKER DEVLIN DEEMED approval of the amendments to HB 1040, HB 1046, HB 1059, HB 1129, HB 1175, HB 1178, HB 1210, HB 1228, HB 1311, HB 1365, HB 1370, HB 1384, HB 1410, and HB 1413.

HB 1046, HB 1059, and HB 1178, as amended, were rereferred to the **Appropriations Committee**.

HB 1040, HB 1129, HB 1175, HB 1210, HB 1228, HB 1311, HB 1365, HB 1370, HB 1384, HB 1410, and HB 1413, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1455: A BILL for an Act to provide for a legislative management study regarding contract nursing agencies in the state.

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

YEAS: Amerman; Anderson, B.; 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; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; 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; Weisz; Zubke

ABSENT AND NOT VOTING: Anderson, D.; Frantsvog; Hawken; Koppelman, K.; Wallman; Speaker Belter

Engrossed HB 1455 passed.

SECOND READING OF HOUSE BILL

HB 1187: A BILL for an Act to create and enact a new section to chapter 38-01 of the North Dakota Century Code, relating to orders of the industrial commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 61 YEAS,

27 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dosch; Fehr; Guggisberg; Hanson; Headland; Hofstad; Hunsakor; Johnson, D.; Johnson, M.; Kading; Kasper; Kelsh; Kempenich; Kiefert; Koppelman, B.; Kreidt; Kretschmar; Looyesen; Louser; Maragos; Meier; Mock; Monson; Mooney; Nelson, M.; Olson; Onstad; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Thoreson; Toman; Vigasaa; Weisz; Zubke

NAYS: Amerman; Beadle; Boschee; Delmore; Dockter; Froseth; Glassheim; Haak; Hatlestad; Hogan; Holman; Karls; Keiser; Klein; Klemin; Laning; Larson; Lefor; Martinson; Mitskog; Muscha; Nathe; Nelson, J.; Oversen; Schreiber Beck; Sukut; Trottier

ABSENT AND NOT VOTING: Anderson, D.; Frantsovog; Hawken; Koppelman, K.; Wallman; Speaker Belter

Engrossed HB 1187 passed.

SECOND READING OF HOUSE BILL

HB 1257: A BILL for an Act to amend and reenact sections 34-06.1-03, 34-06.1-05, 34-06.1-06, and 34-06.1-07 of the North Dakota Century Code, relating to unequal pay for men and women; and to provide a penalty.

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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, P.; Beadle; 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; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; 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; Weisz; Zubke

ABSENT AND NOT VOTING: Anderson, D.; Boe; Frantsovog; Hawken; Koppelman, K.; Wallman; Speaker Belter

Engrossed HB 1257 passed.

SECOND READING OF HOUSE BILL

HB 1304: A BILL for an Act create and enact a new section to chapter 12.1-01, a new section to chapter 14-10, and a new section to chapter 27-20 of the North Dakota Century Code, relating to the presumption of an individual's legal date of birth.

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

YEAS: Amerman; Anderson, B.; 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; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; 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

ABSENT AND NOT VOTING: Anderson, D.; Frantsvog; Hawken; Koppelman, K.; Wallman; Speaker Belter

Engrossed HB 1304 passed.

SECOND READING OF HOUSE BILL

HB 1307: A BILL for an Act to amend and reenact section 12.1-12-06 of the North Dakota Century Code, relating to threatening of public servants; and to provide a penalty.

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

YEAS: Amerman; Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; 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; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

NAYS: Becker, Rick C.; Steiner

ABSENT AND NOT VOTING: Anderson, D.; Frantsvog; Hawken; Koppelman, K.; Wallman; Speaker Belter

Engrossed HB 1307 passed.

SECOND READING OF HOUSE BILL

HB 1336: A BILL for an Act to amend and reenact section 15.1-09-01 of the North Dakota Century Code, relating to school board membership.

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 30 YEAS, 58 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Beadle; Becker, Rick C.; Bellew; Brabandt; Damschen; Dosch; Fehr; Kading; Kasper; Kiefert; Klein; Koppelman, B.; Lefor; Looyen; Louser; Meier; Monson; Olson; Rohr; Ruby; Schatz; Schmidt; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Vigasaa

NAYS: Amerman; Anderson, B.; Anderson, P.; Becker, Rich S.; Boe; Boehning; Boschee; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Keiser; Kelsh; Kempenich; Klemin; Kreidt; Kretschmar; Laning; Larson; Maragos; Martinson; Mitskog; Mock; Mooney;

Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Trottier; Weisz; Zubke

ABSENT AND NOT VOTING: Anderson, D.; Frantsovog; Hawken; Koppelman, K.; Wallman; Speaker Belter

HB 1336 failed.

SECOND READING OF HOUSE BILL

HB 1369: A BILL for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to student loan interest rate reductions.

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 23 YEAS, 64 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Beadle; Boschee; Delmore; Guggisberg; Haak; Hanson; Hogan; Holman; Johnson, M.; Kelsh; Maragos; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Streyle; Strinden

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

ABSENT AND NOT VOTING: Anderson, D.; Boe; Frantsovog; Hawken; Koppelman, K.; Wallman; Speaker Belter

HB 1369 failed.

SECOND READING OF HOUSE BILL

HB 1380: A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the required closure of schools; and to amend and reenact section 15.1-27-23 of the North Dakota Century Code, relating to the rescheduling of classes due to weather.

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, 85 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Boe; Hanson; Kempenich

NAYS: Amerman; Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kiefert; Klein; Klemin; Koppelman, B.; 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

ABSENT AND NOT VOTING: Anderson, D.; Frantsovog; Hawken; Koppelman, K.; Wallman;

Speaker Belter

HB 1380 failed.

SECOND READING OF HOUSE BILL

HB 1419: A BILL for an Act to amend and reenact section 15.1-21-02.4 of the North Dakota Century Code, relating to eligibility for North Dakota career and technical education scholarships.

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 23 YEAS, 63 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Becker, Rich S.; Boe; Boschee; Delzer; Dosch; Glassheim; Haak; Hanson; Hogan; Holman; Hunsakor; Kelsh; Mitskog; Monson; Mooney; Muscha; Nelson, M.; Onstad; Schneider; Streyle; Strinden

NAYS: Anderson, B.; Beadle; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dockter; Fehr; Froseth; Hatlestad; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Martinson; Meier; Mock; Nathe; Nelson, J.; Olson; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

ABSENT AND NOT VOTING: Anderson, D.; Frantsvog; Guggisberg; Hawken; Koppelman, K.; Maragos; Wallman; Speaker Belter

HB 1419 failed.

SECOND READING OF HOUSE BILL

HB 1452: A BILL for an Act to create and enact five new sections to chapter 15-62.2 of the North Dakota Century Code, relating to the establishment of the promise grant program; to repeal sections 15.1-21-02.4, 15.1-21-02.5, 15.1-21-02.6, 15.1-21-02.7, and 15.1-21-02.8 of the North Dakota Century Code, relating to the North Dakota academic scholarships and the North Dakota career and technical education scholarships; to provide a transfer; 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 20 YEAS, 66 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Beadle; Boschee; Glassheim; Haak; Hanson; Hogan; Holman; Kelsh; Looyen; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Strinden

NAYS: Anderson, B.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Headland; Hofstad; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Kreidt; Kretschmar; Laning; Larson; Lefor; Louser; Martinson; Meier; 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; Vigasaa; Weisz; Zubke

ABSENT AND NOT VOTING: Anderson, D.; Frantsvog; Guggisberg; Hawken; Koppelman, K.; Maragos; Wallman; Speaker Belter

HB 1452 failed.

SECOND READING OF HOUSE BILL

HB 1300: A BILL for an Act to amend and reenact section 54-52.1-04 of the North Dakota Century Code, relating to provider networks for the public employees uniform group insurance 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 0 YEAS, 86 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

NAYS: Amerman; Anderson, B.; 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; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; 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

ABSENT AND NOT VOTING: Anderson, D.; Frantsvog; Guggisberg; Hawken; Koppelman, K.; Maragos; Wallman; Speaker Belter

HB 1300 failed.

SECOND READING OF HOUSE BILL

HB 1385: A BILL for an Act to create and enact a new section to chapter 49-21 of the North Dakota Century Code, relating to voice over internet protocol service and internet protocol-enabled service; and to amend and reenact section 49-21-01 of the North Dakota Century Code, relating to definitions.

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 86 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; 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; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; 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

ABSENT AND NOT VOTING: Anderson, D.; Frantsvog; Guggisberg; Hawken; Koppelman, K.; Maragos; Wallman; Speaker Belter

HB 1385 passed.

SECOND READING OF HOUSE BILL

HB 1460: A BILL for an Act to create and enact section 51-14.1-04.1 of the North Dakota Century Code, relating to debit card holds; 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 2 YEAS, 84 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Dosch; Kempenich

NAYS: Amerman; Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kiefert; Klein; Klemin; Koppelman, B.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looysen; Louser; 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; Vigesiaa; Weisz; Zubke

ABSENT AND NOT VOTING: Anderson, D.; Frantsovog; Guggisberg; Hawken; Koppelman, K.; Maragos; Wallman; Speaker Belter

HB 1460 failed.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2113.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2188.

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 1:00 p.m., Monday, February 9, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1031: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1031 was placed on the Sixth order on the calendar.

Page 2, line 20, remove "accounted for separately to be used in any manner to provide for major"

Page 2, remove line 21

Page 2, line 22, replace "with a priority" with "used"

Page 2, line 22, after the first "for" insert "consideration in expanding to"

Page 2, line 22, remove the second "for"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1068: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1068 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 amend and reenact subsection 5 of section 38-08-04 of the North Dakota Century Code, relating to decisions of the industrial commission.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 38-08-04 of the North Dakota Century Code is amended and reenacted as follows:

5. To adopt and to enforce rules and orders to effectuate the purposes and the intent of this chapter and the commission's responsibilities under chapter 57-51.1. When adopting a rule, issuing an order, or creating a policy, the commission shall give due consideration to the effect of including locations within this state which may also be under the jurisdiction of the federal government or a tribal government. When reporting information resulting from adopting a rule, issuing an order, or creating a policy that affects locations within this state which may also be under the jurisdiction of the federal government or a tribal government, the commission shall provide sufficient information to indicate the effect of including locations that may also be under the regulatory jurisdiction of the federal government or a tribal government."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1114: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1114 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 13 of"

Page 1, replace lines 7 through 10 with:

"SECTION 1. AMENDMENT. Section 23-29-03 of the North Dakota Century Code is amended and reenacted as follows:

23-29-03. Definitions.

1. "Collection" means the aggregation of solid waste from the places at which the waste was generated.
2. "Department" means the state department of health.
3. "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water including ground water.
4. "Industrial waste" means solid waste, which is not a hazardous waste regulated under chapter 23-20.3, generated from the combustion or gasification of municipal waste and from industrial and manufacturing processes. The term does not include municipal waste or special waste.
5. "Infectious waste" means solid waste that may contain pathogens with sufficient virulence and in sufficient quantity that exposure of a susceptible human or animal to the solid waste could cause the human or animal to contract an infectious disease.
6. "Landfill" means a publicly or privately owned area of land where solid wastes are permanently disposed.
7. "Litter" means discarded and abandoned solid waste materials that are not special waste or industrial waste.

8. "Major appliance" means an air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnace, water heater, humidifier, dehumidifier, garbage disposal, trash compactor, or other similar appliance.
9. "Municipal waste" means solid waste that includes garbage, refuse, and trash generated by households, motels, hotels, and recreation facilities; by public and private facilities; and by commercial, wholesale, and private and retail businesses. The term does not include special waste or industrial waste.
10. "Open burning" means the combustion of solid waste without control of combustion air to maintain adequate temperature for efficient combustion, containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion, and control of the emission of the combustion products.
11. "Person" means any individual, corporation, limited liability company, partnership, firm, association, trust, estate, public or private institution, group, federal agency, political subdivision of this state or any other state or political subdivision thereof, and any legal successor, representative agent, or agency of the foregoing.
12. "Political subdivision" means a city, county, township, or solid waste management authority.
13. "Resource recovery" means the use, reuse, or recycling of materials, substances, energy, or products contained within or derived from ~~municipal~~ solid waste.
14. "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities. The term does not include:
 - a. Agricultural waste, including manures and crop residues, returned to the soil as fertilizer or soil conditioners; or
 - b. Solid or dissolved materials in domestic sewage, or solid or dissolved material in irrigation return flows or industrial discharges that are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended [Pub. L. 92-500; 86 Stat. 816; 33 U.S.C. 1251 et seq.], or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended [68 Stat. 919; 42 U.S.C. 2011 et seq.].
15. "Solid waste management" means the purposeful systematic control of the storage, collection, transport, composting, resource recovery, land treatment, and disposal of solid waste.
16. "Special waste" means solid waste that is not a hazardous waste regulated under chapter 23-20.3 and includes waste generated from energy conversion facilities; waste from crude oil and natural gas exploration and production; waste from mineral and ore mining, beneficiation, and extraction; and waste generated by surface coal mining operations. The term does not include municipal waste or industrial waste.
17. "Storage" means the containment and holding of solid waste after generation for a temporary period, at the end of which the solid waste is processed for resource recovery, treated, disposed of, or stored elsewhere.

18. "Transport" means the offsite movement of solid waste.

Page 1, line 13, overstrike "one" and insert immediately thereafter "two"

Page 1, line 16, remove the overstrike over "~~offense is a class-B~~"

Page 1, line 17, remove the overstrike over "~~misdemeanor~~" and insert immediately thereafter "and the"

Page 1, line 17, replace "and criminal penalties" with "penalty"

Page 2, line 9, remove "For multiple violations, penalties may"

Page 2, remove lines 10 and 11

Page 2, line 12, replace "knowingly" with "willfully"

Page 2, line 16, replace "knowingly" with "willfully"

Page 2, line 20, remove "For multiple violations, penalties may be assessed up to the maximum"

Page 2, remove line 21

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1142: 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 1142 was placed on the Sixth order on the calendar.

Page 2, line 13, replace "26.1-35-00.2" with "26.1-35-12"

Page 2, line 28, replace "5" with "4"

Page 2, line 28, replace "7" with "6"

Page 2, line 28, replace "26.1-35-01" with "26.1-35-00.2"

Page 2, line 30, replace "1" with "2"

Page 4, line 19, replace "26.1-35-15" with "26.1-35-13"

Page 6, line 1, replace "26.1-35-11" with "26.1-35-00.2"

Page 6, line 4, replace "26.1-35-11" with "26.1-35-00.2"

Page 6, line 19, replace "26.1-35-11" with "26.1-35-00.2"

Page 9, line 5, after "records" insert "not subject to section 44-04-18"

Page 12, line 26, replace "subsections 1 and 2 and section" with "sections 26.1-35-03, 26.1-35-04, and"

Page 12, line 29, remove the overstrike over "~~sections 26.1-35-03~~"

Page 12, line 29, after "~~and~~" insert an underscored comma

Page 12, line 30, remove the overstrike over "~~26.1-35-04~~"

Page 12, line 30, replace "subsections 1 and 2" with an underscored comma

Page 12, line 30, remove "section"

Page 31, line 6, replace "6" with "5"

Page 31, line 6, replace "26.1-35-12" with "26.1-35-00.2"

Page 31, line 10, replace "6" with "5"

Page 31, line 10, replace "26.1-35-12" with "26.1-35-00.2"

Page 31, line 27, replace "26.1-35-12" with "26.1-35-13"

Page 32, line 23, remove "; in the case of subdivisions a and b"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1143: 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 1143 was placed on the Sixth order on the calendar.

Page 13, line 27, after "percent" insert ", but the nonforfeiture interest rate may not be less than four percent"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1184: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1184 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 the practice of veterinary medicine in this state.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - PRACTICE OF VETERINARY MEDICINE. During the 2015-16 interim, the legislative management shall consider studying the practice of veterinary medicine in this state, including any statutory and regulatory requirements and limitations, and the appropriateness of such requirements and limitations with respect to small animal, large animal, and research-focused practices. The study, if conducted, may include a review of the state board of veterinary medical examiners, including the board's membership, powers, duties, and governance of the practice. The study may also include recommended changes to applicable laws that are irrelevant, inconsistent, illogically arranged, or unclear in their intent and direction. 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 1198: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1198 was placed on the Sixth order on the calendar.

Page 1, line 3, after "members" insert "; and to provide a contingent effective date"

Page 1, replace lines 7 through 9 with:

"A passenger motor vehicle, house car, or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] registered gross weight and which is owned and operated by a resident who is

serving as a member of or is a retired member of the North Dakota national guard is entitled to display a national guard license plate issued by the department upon the payment of a fee of five dollars. This exemption applies to no more than one license plate for each national guard member or retired member at any one time.

SECTION 2. CONTINGENT EFFECTIVE DATE. This Act is effective on the date the director of the department of transportation certifies to the secretary of state that the new motor vehicle registration software for the department is installed and functioning and not earlier than January 1, 2016."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1252: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1252 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1269: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1269 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1312: 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 1312 was placed on the Sixth order on the calendar.

Page 1, line 13, after "the" insert "sum of the"

Page 1, line 13, remove "combined"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1352: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1352 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1356: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1356 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1366: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1366 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 create and enact section 25-07-13 of the North Dakota Century Code, relating to a bill of rights for children who are deaf or hearing impaired.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 25-07-13 of the North Dakota Century Code is created and enacted as follows:

25-07-13. Bill of rights - Children who are deaf or hearing impaired.

The legislative assembly believes that children who are deaf or hearing impaired are entitled to the following:

1. Appropriate screening and assessment of hearing and vision capabilities and communication and language needs at the earliest possible age and continuation of screening services throughout their educational experience.
2. Early intervention to provide for acquisition of solid language bases at the earliest possible age.
3. Their parents' or guardians' full and informed participation in their educational planning.
4. The opportunity to interact in person or through technology mediums with adult role models and peers who are also deaf or hearing impaired.
5. Qualified teachers, interpreters, and resource personnel who communicate effectively with the child in the child's mode of communications.
6. Placement best suited to their individual needs, including social, emotional, and cultural needs, age, hearing loss, academic level, mode of communication, styles of learning, motivational level, and family support.
7. Information on available resources in the state of North Dakota for parents or guardians of deaf or hearing impaired children.
8. Full educational support services provided by qualified professionals.
9. Full and equal access to all programs in their educational setting.
10. Awareness information provided to the public concerning medical, cultural, and linguistic issues of deafness and hearing loss."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1379: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1379 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1381: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1381 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1388: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1388 was placed on the Sixth order on the calendar.

Page 1, line 1, after "grants" insert "; and to provide a legislative management report"

Page 1, line 3, after "**APPROPRIATION**" insert "**- LEGISLATIVE MANAGEMENT REPORT**"

Page 1, line 18, after "4." insert "During the 2015-2016 interim, the superintendent of public instruction shall provide a report to the legislative management regarding the dissemination and utilization of grants under this section.

5."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1400: Energy and Natural Resources Committee (Rep. Porter, Chairman)

recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1400 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1424: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HB 1424 was placed on the Sixth order on the calendar.

Page 1, line 1, remove ", subsection 2 of section 39-06-37,"

Page 1, remove line 2

Page 1, line 3, replace "section 39-20-03.2, and subsection 6 of section 39-20-05" with "and subdivisions h and i of subsection 2 of section 39-06-49"

Page 1, line 4, after "license" insert "suspension and revocation"

Page 1, line 4, after "notifications" insert "and reinstatement fees"

Page 1, line 14, remove the overstrike over "regular"

Page 1, line 14, remove "certified"

Page 2, remove lines 10 through 30

Page 3, remove lines 1 through 31

Page 4, replace lines 1 through 10 with:

"SECTION 2. AMENDMENT. Subdivision h of subsection 2 of section 39-06-49 of the North Dakota Century Code is amended and reenacted as follows:

- h. Reinstatement after suspension is ~~fifty~~fifty-five dollars unless the suspension was the result of a suspension under subsection 4, 5, or 7 of section 39-06-03 or subdivision b of subsection 1 of section 39-06-32, then the fee is twenty-five dollars, or unless the suspension was a result of a violation under section 39-08-01 or chapter 39-20, then the fee is one hundred dollars.

SECTION 3. AMENDMENT. Subdivision i of subsection 2 of section 39-06-49 of the North Dakota Century Code is amended and reenacted as follows:

- i. Reinstatement after revocation is ~~fifty~~fifty-five dollars, unless the revocation was imposed for a violation of subsection 6 of section 39-06-17 or section 39-06-31, 39-06-43, or 39-20-04, then the fee is one hundred dollars."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1439: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1439 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1469: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1469 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 the provision of transportation services to veterans and the impact on transportation service providers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY. During the 2015-16 interim, the legislative management shall consider studying the provision of transportation services to veterans and the impact on those who provide or will provide free transportation services to veterans. The study may include a determination of cities that have public transportation systems, the availability of transportation services for veterans, feedback from transportation providers regarding the provision of free transportation services to veterans, and the impact on cities that have public transportation systems. 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 1470: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1470 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3020: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3020 was placed on the Tenth order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Hanson, Rick C. Becker, Mock, Olson and Sens. Rust, Sinner introduced:

HCR 3036: A concurrent resolution directing the Legislative Management to study issues related to authorizing and issuing digital driver's licenses.

Was read the first time and referred to the **Transportation Committee**.

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

Buell J. Reich, Chief Clerk

