

## JOURNAL OF THE HOUSE

## Sixty-fifth Legislative Assembly

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Bismarck, February 21, 2017

The House convened at 9:00 a.m., with Speaker Bellew presiding.

The prayer was offered by Pastor Paul Herr, Century Baptist Church, Bismarck.

The roll was called and all members were present except Representatives Kreidt and M. Ruby.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Klemm, Chairman)** has carefully examined the Journal of the Twenty-ninth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 517, replace lines 42 through 45 with the following:

**"REPORT OF STANDING COMMITTEE**

HB 1128: Transportation Committee (Rep. D. Ruby, Chairman) recommends DO PASS and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 1 NAYS, 3 ABSENT AND NOT VOTING). HB 1128 was rereferred to the **Appropriations Committee**."

**REP. KLEMM MOVED** that the report be adopted, which motion prevailed.

## SIXTH ORDER OF BUSINESS

**SPEAKER BELLEW DEEMED** approval of the amendments to HB 1001, HB 1002, HB 1003, HB 1017, HB 1018, HB 1020, HB 1023, HB 1169, HB 1244, HB 1273, HB 1282, HB 1310, HB 1336, HB 1431, HB 1435, HCR 3011, and Engrossed SB 2302.

HCR 3011, as amended, was placed on the Tenth order of business on the calendar.

HB 1001, HB 1002, HB 1003, HB 1017, HB 1018, HB 1020, HB 1023, HB 1169, HB 1244, HB 1273, HB 1282, HB 1310, HB 1336, HB 1431, and HB 1435, as amended, were placed on the Eleventh order of business on today's calendar.

Engrossed SB 2302, as amended, was placed on the Fourteenth order of business on today's calendar.

## SECOND READING OF SENATE BILL

**SB 2302:** A BILL for an Act to amend and reenact sections 12-60-05 and 12.1-29-07, subsection 1 of section 29-06-05.2, and sections 54-12-01.1 and 54-12-28 of the North Dakota Century Code, relating to appointment of ad hoc special agents, the offender education program, authority for federal law enforcement officers to make arrests, online publication of eminent domain information, and twenty-four seven program records and statistics; to repeal section 19-03.1-44 of the North Dakota Century Code, relating to a drug use status and trends report; to provide a penalty; 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 85 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Doberovich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad;

Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Becker, Rick C.; Ertelt; Johnston; Magrum; Olson; Schatz; Simons

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed SB 2302, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. K. KOPPELMAN MOVED** that the House do concur in the Senate amendments to Engrossed HB 1293 as printed on HJ pages 590-593, which motion prevailed on a voice vote.

Engrossed HB 1293 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1293:** A BILL for an Act to amend and reenact sections 12.1-22-03 and 37-17.1-22 of the North Dakota Century Code, relating to trespassing on posted property and disaster and emergency response recovery costs; to provide a penalty; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1293, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. K. KOPPELMAN MOVED** that the House do concur in the Senate amendments to Engrossed HB 1304 as printed on HJ page 593, which motion prevailed on a voice vote.

Engrossed HB 1304 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1304:** A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to prohibiting the wearing of masks, hoods, and face coverings during the commission of a criminal offense; to provide a penalty; and to declare an emergency.

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

**YEAS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Anderson, P.; Becker, Rick C.; Boschee; Dobervich; Guggisberg; Hanson; Hogan; Holman; Johnson, M.; Kading; Mitskog; Nelson, M.; Ruby, D.; Schneider; Simons; Vetter

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1304, as amended, passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1181:** A BILL for an Act to amend and reenact sections 17-04-01, 17-04-03, and 17-04-05 of the North Dakota Century Code, relating to termination of wind option agreements, wind easements, and wind energy leases.

**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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Bosch; Keiser; Lefor

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1181 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1396:** A BILL for an Act to amend and reenact subsection 7 of section 20.1-03-11 of the North Dakota Century Code, relating to licenses to hunt elk.

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

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.;

Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1396 failed.

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## SECOND READING OF HOUSE BILL

**HB 1167:** A BILL for an Act to create and enact a new section to chapter 29-29.4 of the North Dakota Century Code, relating to remedies for violations of unmanned aerial vehicles; to amend and reenact subsection 1 of section 29-29.4-05 of the North Dakota Century Code, relating to prohibited uses for unmanned aerial vehicles; and to provide a penalty.

## ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 36 YEAS, 56 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rich S.; Becker, Rick C.; Boehning; Boschee; Brabandt; Brandenburg; Delzer; Devlin; Ertelt; Hanson; Headland; Johnson, M.; Johnston; Jones; Kasper; Koppelman, B.; Lefor; Louser; Magrum; Marschall; Meier; Nelson, J.; Oliver; Paur; Rohr; Ruby, D.; Schatz; Simons; Skroch; Steiner; Toman; Trottier; Vigasaa; Weisz; Zubke; Speaker Bellew

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Carlson; Damschen; Delmore; Dobervich; Dockter; Grueneich; Guggisberg; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Laning; Longmuir; Maragos; Martinson; McWilliams; Mitskog; Mock; Monson; Nathe; Nelson, M.; O'Brien; Olson; Owens; Pollert; Porter; Pyle; Roers Jones; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Streyle; Sukut; Vetter; Westlind

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1167 failed.

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## SECOND READING OF HOUSE BILL

**HB 1126:** A BILL for an Act to amend and reenact sections 60-02-09, 60-02-17, 60-02-35, 60-02-38, 60-02-40, 60-02.1-08, 60-02.1-26, 60-02.1-28, 60-02.1-32, 60-02.1-35, 60-02.1-37, 60-02.1-38, 60-04-02, 60-04-04, 60-04-07, 60-04-09, 60-04-10, and 60-10-09 of the North Dakota Century Code, relating to public warehouse and grain buyer licensing and insolvencies of public warehouses and grain buyers; and to repeal sections 60-02-39 and 60-02.1-25, of the North Dakota Century Code, relating to warehouse closures.

## 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:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.;

Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1126 passed.

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### SECOND READING OF HOUSE BILL

**HB 1128:** A BILL for an Act to create and enact a new subsection to section 39-01-01 and section 39-06-14.2 of the North Dakota Century Code, relating to the definition of primary source identity document and driver's license central identity management; and to amend and reenact sections 39-06-01, 39-06-03.1, 39-06-07.1, and 39-06-18, subsection 5 of section 39-06-19, and sections 39-06-20 and 39-06.2-08 of the North Dakota Century Code, relating to operator's license and nondriver identification card criteria, license renewals, notice of change of address or name, and the application for commercial driver's license.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Bosch; Brabandt; Brandenburg; Damschen; Delmore; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Toman; Vetter; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Blum; Boschee; Carlson; Delzer; Devlin; Ertelt; Headland; Johnston; Kasper; McWilliams; Olson; Simons; Skroch; Trottier; Vigasaa; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1128 passed.

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### SECOND READING OF HOUSE BILL

**HB 1217:** A BILL for an Act to amend and reenact sections 2-05-11 and 2-05-11.3 of the North Dakota Century Code, relating to aircraft registration.

### 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 84 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson;

Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Johnson, M.; Kasper; Koppelman, B.; Marschall; Porter; Rohr; Simons; Toman

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1217 passed.

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### SECOND READING OF HOUSE BILL

**HB 1255:** A BILL for an Act to create and enact a new chapter to title 24 and a new subsection to section 39-12-05.3 of the North Dakota Century Code, relating to the creation of a large truck primary highway network and the permitting of increased vehicle weights.

### 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:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1255 passed.

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### SECOND READING OF HOUSE BILL

**HB 1199:** A BILL for an Act to create and enact subsection 5 to section 61-33-01 of the North Dakota Century Code, relating to the definition of subsurface minerals; and to amend and reenact subsection 3 of section 61-33-01 of the North Dakota Century Code, relating to the definition of 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 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor;

Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Boe; Nelson, M.

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1199 passed.

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

**HB 1040:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to an evidence-based alcohol and drug education program; to amend and reenact subsection 3 of section 5-01-08 of the North Dakota Century Code, relating to a penalty for individuals under twenty-one years of age using alcoholic beverages or entering licensed premises; to provide for a report; and to provide an appropriation to the department of human services.

#### **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 60 YEAS, 32 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Boe; Bosch; Boschee; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Karls; Kempenich; Kiefert; Klemin; Koppelman, K.; Longmuir; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Oliver; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Sukut; Trottier; Vetter; Weisz; Westlind; Zubke

**NAYS:** Anderson, P.; Becker, Rick C.; Blum; Boehning; Brabandt; Brandenburg; Delzer; Ertelt; Johnson, C.; Johnston; Kading; Kasper; Keiser; Koppelman, B.; Laning; Lefor; Louser; Magrum; Marschall; McWilliams; O'Brien; Olson; Paur; Ruby, D.; Schatz; Simons; Skroch; Steiner; Streyle; Toman; Vigasaa; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Reengrossed HB 1040 passed.

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

**HB 1419:** A BILL for an Act to provide an appropriation for a firearm safety program.

#### **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:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel;

Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Brabandt; Ertelt; Kasper; McWilliams; Schneider; Simons

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Reengrossed HB 1419 passed.

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### SECOND READING OF HOUSE BILL

**HB 1359:** A BILL for an Act to create and enact a new section to chapter 39-03 of the North Dakota Century Code, relating to disabled and vulnerable elderly adults and minors who have developmental disabilities who are reported missing.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Magrum; Paur; Simons; Vigesaa

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1359 passed.

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### SECOND READING OF HOUSE BILL

**HB 1221:** A BILL for an Act to create and enact chapter 29-29.5 of the North Dakota Century Code, relating to the use of confidential informants by law enforcement.

### 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:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.



Engrossed HB 1221 passed.

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### SECOND READING OF HOUSE BILL

**HB 1195:** A BILL for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code, relating to imprisonment of minors; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1195 passed.

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### SECOND READING OF HOUSE BILL

**HB 1170:** A BILL for an Act to create and enact chapter 29-31.2 of the North Dakota Century Code, relating to criminal forfeitures; to amend and reenact subsection 4 of section 4-24-12, subsection 4 of section 5-01-16, sections 12.1-06.1-05 and 12.1-06.1-06, subsection 7 of section 12.1-23-16, subsection 4 of section 12.1-28-02, section 19-03.1-36, subsection 1 of section 27-20-03, sections 39-03-18, 39-08-01.3, 39-30-04, 40-11-13, 54-12-14, and 57-36-14, subsection 2 of section 57-36-33, section 62.1-01-02, and subsection 2 of section 62.1-05-01 of the North Dakota Century Code, relating to forfeiture remedies, forfeiture of property, forfeiture funds of motor vehicles, forfeitures for violation of ordinances, seizure procedures, and forfeiture procedures; and to repeal sections 19-03.1-36.1, 19-03.1-36.2, 19-03.1-36.3, 19-03.1-36.4, 19-03.1-36.5, 19-03.1-36.6, 19-03.1-36.7, and 28-01-20, and chapters 29-31.1 and 32-14 of the North Dakota Century Code, relating to forfeiture proceedings, forfeiture disposition, seizure and transfer of forfeitable property, and actions to recover forfeitures.

### 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 50 YEAS, 42 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Boschee; Brabandt; Brandenburg; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Hogan; Holman; Johnson, C.; Johnson, M.; Johnston; Jones; Kading; Kasper; Koppelman, B.; Louser; Magrum; Marschall; McWilliams; Mitskog; Mock; Nelson, J.; Nelson, M.; Oliver; Olson; Paur; Pollert; Roers Jones; Rohr; Satrom; Schatz; Schmidt; Schneider; Simons; Skroch; Toman; Vetter; Vigasaa; Weisz; Zubke; Speaker Bellew

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Boe; Bosch; Carlson; Damschen; Delmore; Dobervich; Guggisberg; Hanson; Heinert; Howe; Johnson, D.; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Laning; Lefor; Longmuir; Maragos; Martinson; Meier; Monson; Nathe; O'Brien; Owens; Porter; Pyle; Ruby, D.;

Sanford; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Trottier; Westlind

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1170 passed.

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### SECOND READING OF HOUSE BILL

**HB 1174:** A BILL for an Act to provide for liability for false medical assistance claims to the state; 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 NOT PASS, the roll was called and there were 15 YEAS, 77 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Boe; Boschee; Delmore; Dobervich; Ertelt; Guggisberg; Hanson; Hogan; Mitskog; Mock; Nelson, M.; Olson; Schneider; Toman

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Grueneich; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1174 failed.

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### MOTION

**REP. VIGESAA MOVED** that the House stand in recess until 1:00 p.m., which motion prevailed on a voice vote.

**THE HOUSE RECONVENED** pursuant to recess taken, with Speaker Bellew presiding.

### MOTION

**REP. VIGESAA MOVED** that SB 2060 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Human Services Committee**, which motion prevailed on a voice vote.

Pursuant to Rep. Vigesaa's motion, SB 2060 was rereferred.

### MOTION

**REP. VIGESAA MOVED** that SB 2090 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Human Services Committee**, which motion prevailed on a voice vote.

Pursuant to Rep. Vigesaa's motion, SB 2090 was rereferred.

### MOTION

**REP. VIGESAA MOVED** that SB 2151 be returned to the House floor from the **Energy and Natural Resources Committee** and be rereferred to the **Human Services Committee**, which motion prevailed on a voice vote.

Pursuant to Rep. Vigesaa's motion, SB 2151 was rereferred.

**SIXTH ORDER OF BUSINESS**

**SPEAKER BELLEW DEEMED** approval of the amendments to HB 1279, HB 1390, and HB 1433.

HB 1279, HB 1390, and HB 1433, as amended, were placed on the Eleventh order of business on today's calendar.

**SECOND READING OF HOUSE BILL**

**HB 1169:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 62.1-03-01 of the North Dakota Century Code, relating to carrying a handgun; to amend and reenact sections 62.1-04-02 and 62.1-04-04 of the North Dakota Century Code, relating to carrying concealed firearms or dangerous weapons; 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 83 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Zubke; Speaker Bellew

**NAYS:** Anderson, P.; Boschee; Dobervich; Hanson; Hogan; Holman; Laning; Schneider; Westlind

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1169 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1310:** A BILL for an Act to create and enact a new section to chapter 62.1-02 of the North Dakota Century Code, relating to the creation of a pilot program to allow the carrying of a concealed firearm on school property by qualified individuals; to amend and reenact subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to an exception to the prohibition against possessing a firearm at a public gathering; to provide for a report to the legislative management; and to provide an expiration date.

**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.; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz

**NAYS:** Anderson, P.; Beadle; Boe; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; Keiser; Martinson; Nelson, J.; Sanford; Schneider; Seibel; Westlind;

Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1310 passed.

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### SECOND READING OF HOUSE BILL

**HB 1273:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm or dangerous weapon at a public gathering.

### 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.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; McWilliams; Monson; Nathe; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Anderson, D.; Anderson, P.; Boe; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; Johnson, M.; Keiser; Martinson; Meier; Mitskog; Mock; Nelson, J.; Nelson, M.; Sanford

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1273 passed.

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### SECOND READING OF HOUSE BILL

**HB 1278:** A BILL for an Act to amend and reenact subsection 5 of section 62.1-01-01 and subsection 1 of section 62.1-02-05 relating to the possession of firearms or weapons in government buildings.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rick C.; Blum; Brabandt; Ertelt; Johnston; Kading; Kasper; Koppelman, B.; Koppelman, K.; Louser; Magrum; Olson; Ruby, D.; Schatz; Simons; Speaker Bellew

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Laning; Lefor; Longmuir; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1278 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1391:** A BILL for an Act to create and enact a new section to chapter 62.1-01 of the North Dakota Century Code, relating to manufactured firearms, accessories, and ammunition.

**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:** Becker, Rick C.; Blum; Brabandt; Ertelt; Johnson, C.; Johnston; Kading; Kasper; Kempenich; Koppelman, B.; Laning; Louser; Magrum; Marschall; McWilliams; Olson; Rohr; Schatz; Simons; Skroch; Streyle; Toman

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kiefert; Klemin; Koppelman, K.; Lefor; Longmuir; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Sukut; Trotter; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1391 failed.

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**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Rep. Mark Dosch

**SECOND READING OF HOUSE BILL**

**HB 1228:** A BILL for an Act to create and enact sections 59-04.2-03.1 and 59-09-04.1, chapter 59-10.1, section 59-14-05, and chapters 59-16.1, 59-16.2, and 59-16.3 of the North Dakota Century Code, relating to actions to contest the validity of a trust, trust decanting, and directed trustees; to amend and reenact sections 47-02-27.4, 59-04.2-03, and 59-16-13 of the North Dakota Century Code, relating to exclusions from the rule against perpetuities and a trustee's duty to inform; to repeal sections 59-14-01, 59-14-04, and 59-16-08 of the North Dakota Century Code, relating to the capacity of a settlor of a revocable trust, actions contesting the validity of a trust, and powers to direct a trustee; and to provide for retroactive application.

**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 80 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Pollert; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Streyle; Sukut; Toman; Trotter; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Boe; Boschee; Damschen; Dobervich; Guggisberg; Holman; Mock; Monson; Nelson, M.; Paur; Porter; Steiner

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1228 passed.

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### SECOND READING OF HOUSE BILL

**HB 1269:** A BILL for an Act to amend and reenact subsections 1 and 5 of section 19-03.1-23 of the North Dakota Century Code, relating to mandatory sentences; 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 78 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brandenburg; Carlson; Delmore; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Weisz; Zubke

**NAYS:** Anderson, B.; Becker, Rich S.; Boe; Brabandt; Damschen; Delzer; Devlin; Heinert; Longmuir; Nathe; Pollert; Vigesaa; Westlind; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1269 passed.

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### SECOND READING OF HOUSE BILL

**HB 1397:** A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to the introduction of bills by executive branch agencies and the judicial branch.

### 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 48 YEAS, 44 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rick C.; Blum; Boe; Boehning; Brabandt; Carlson; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Howe; Johnston; Jones; Kading; Kasper; Kiefert; Koppelman, B.; Koppelman, K.; Lefor; Louser; Magrum; Marschall; McWilliams; Mock; Nelson, M.; Oliver; Olson; Paur; Porter; Pyle; Rohr; Ruby, D.; Satrom; Schatz; Schmidt; Schobinger; Simons; Skroch; Steiner; Streyle; Toman; Trottier; Vetter; Vigesaa; Speaker Bellew

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Bosch; Boschee; Brandenburg; Damschen; Delmore; Dobervich; Guggisberg; Hanson; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Karls; Keiser; Kempenich; Klemin; Laning; Longmuir; Maragos; Martinson; Meier; Mitskog; Monson; Nathe; Nelson, J.; O'Brien; Owens; Pollert; Roers Jones; Sanford; Schneider; Schreiber-Beck; Seibel; Sukut; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1397 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1392:** A BILL for an Act to to amend and reenact section 14-09-00.1 and subsection 1 of section 14-09-29 of the North Dakota Century Code, relating to a presumption of equal parenting time and responsibility; and to provide for a legislative management study.

**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 71 YEAS, 21 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Carlson; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Howe; Johnson, C.; Johnson, M.; Johnston; Jones; Kading; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Zubke; Speaker Bellew

**NAYS:** Anderson, P.; Beadle; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dobervich; Guggisberg; Heinert; Hogan; Holman; Johnson, D.; Karls; Martinson; Nelson, J.; Pollert; Schmidt; Schneider; Weisz; Westlind

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1392 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1201:** A BILL for an Act to create and enact a new subsection to section 47-16-13.1 of the North Dakota Century Code, relating to landlord responsibilities regarding carbon monoxide detection devices; to amend and reenact section 23-13-15, subdivision d of subsection 1 of section 47-16-13.1, and subsection 4 of section 54-21.3-03 of the North Dakota Century Code, relating to the installation of carbon monoxide and smoke detection devices; to provide a penalty; and to provide an effective date.

**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 55 YEAS, 37 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Boschee; Brabandt; Damschen; Delmore; Dobervich; Dockter; Guggisberg; Hanson; Hatlestad; Headland; Hogan; Holman; Johnson, C.; Johnson, D.; Karls; Keiser; Kempenich; Kiefert; Klemin; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; O'Brien; Oliver; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Sukut; Trottier; Westlind; Zubke; Speaker Bellew

**NAYS:** Anderson, D.; Becker, Rick C.; Bosch; Brandenburg; Carlson; Delzer; Devlin; Ertelt; Grueneich; Heinert; Howe; Johnson, M.; Johnston; Jones; Kading; Kasper; Koppelman, B.; Koppelman, K.; Magrum; McWilliams; Meier; Nathe; Olson; Owens; Paur; Pollert; Porter; Schatz; Seibel; Simons; Skroch; Steiner; Streyle; Toman; Vetter; Vigasaa; Weisz

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1201 passed.

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**MOTION**

**REP. VIGESAA MOVED** that HB 1389 be moved to the bottom of the calendar, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1425:** A BILL for an Act to protect the rights and privileges granted under the United States Constitution.

**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 62 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Brabandt; Carlson; Damschen; Delzer; Devlin; Dockter; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Laning; Lefor; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Oliver; Olson; Owens; Pollert; Porter; Pyle; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vigesaa; Weisz; Speaker Bellew

**NAYS:** Anderson, P.; Beadle; Boe; Bosch; Boschee; Brandenburg; Delmore; Dobervich; Ertelt; Guggisberg; Hanson; Hogan; Holman; Johnson, M.; Keiser; Klemin; Longmuir; Maragos; Mitskog; Mock; Nelson, J.; Nelson, M.; O'Brien; Paur; Roers Jones; Schneider; Schreiber-Beck; Vetter; Westlind; Zubke

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1425 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1431:** A BILL for an Act to amend and reenact section 54-35-02.8 of the North Dakota Century Code, relating to the legislative ethics committee.

**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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.; Schmidt

Engrossed HB 1431 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1232:** A BILL for an Act to amend and reenact subsection 4 of section 16.1-08.1-02 of



the North Dakota Century Code, relating to campaign contribution reporting requirements for legislative candidates.

#### 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:** Anderson, P.; Becker, Rich S.; Boe; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; Mitskog; Mock; Nelson, M.; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1232 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1410:** A BILL for an Act to create and enact a new section to chapter 54-05.1 of the North Dakota Century Code, relating to filings required for lobbyists; to amend and reenact subsection 1 of section 54-05.1-02, and sections 54-05.1-03 and 54-05.1-04 of the North Dakota Century Code, relating to lobbyist disclosure forms; 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 17 YEAS, 75 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Boe; Boschee; Delmore; Dobervich; Ertelt; Guggisberg; Hanson; Hogan; Holman; Johnson, M.; Maragos; Mitskog; Mock; Nelson, J.; Nelson, M.; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1410 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1344:** A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to prohibiting the personal use of campaign funds; 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 16 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Boe; Boschee; Delmore; Dobervich; Ertelt; Guggisberg; Hanson; Hogan; Holman; Mitskog; Mock; Nelson, M.; Roers Jones; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1344 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1411:** A BILL for an Act to amend and reenact subsection 2 of section 16.1-08.1-02, subsection 1 of section 16.1-08.1-03, section 16.1-08.1-03.1, subsection 2 of section 16.1-08.1-03.3, subsection 2 of section 16.1-08.1-03.5, subsection 2 of section 16.1-08.1-03.8, subsection 1 of section 16.1-08.1-03.9, subsection 2 of section 16.1-08.1-03.12, subsection 6 of section 16.1-08.1-03.13, and section 16.1-08.1-04 of the North Dakota Century Code, relating to political contribution statements.

**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, 74 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Becker, Rick C.; Boe; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; Johnson, M.; Kading; Mitskog; Mock; Nelson, M.; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Blum; Boehning; Bosch; Brabandt; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Brandenburg; Kreidt; Ruby, M.

HB 1411 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1417:** A BILL for an Act to amend subsection 1 of section 16.1-03-03, subsection 2 of section 16.1-03-21, subsection 2 of section 16.1-05-03, and sections 16.1-11-30 and 16.1-11-36 of the North Dakota Century Code, relating to primary elections, placement on ballots, nominations of candidates, and political party organization.

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

**YEAS:** Anderson, P.; Beadle; Becker, Rick C.; Boe; Boschee; Delmore; Dobervich; Ertelt; Guggisberg; Hanson; Hogan; Holman; Johnson, M.; Magrum; McWilliams; Mitskog; Mock; Nelson, M.; Olson; Schneider; Simons; Steiner; Toman

**NAYS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; Meier; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Skroch; Streyle; Sukut; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

HB 1417 failed.

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**MOTION**

**REP. VIGESAA MOVED** that HB 1389 be moved to the top of the calendar, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1389:** A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to parental directives; 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 NOT PASS, the roll was called and there were 54 YEAS, 38 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Brabandt; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Johnson, C.; Johnston; Jones; Kading; Karls; Kasper; Kiefert; Koppelman, B.; Koppelman, K.; Laning; Lefor; Louser; Magrum; Maragos; Marschall; McWilliams; Meier; Oliver; Olson; Owens; Paur; Pollert; Pyle; Roers Jones; Rohr; Ruby, D.; Satrom; Schatz; Schobinger; Seibel; Simons; Skroch; Steiner; Streyle; Toman; Trotter; Vetter; Vigesaa; Speaker Bellew

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Boe; Bosch; Boschee; Brandenburg; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Keiser; Kempenich; Klemin; Longmuir; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Porter; Sanford; Schmidt; Schneider; Schreiber-Beck; Sukut; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Kreidt; Ruby, M.

Engrossed HB 1389 passed but the emergency clause failed.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2302.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2015, SB 2016, SB 2149, SB 2243, SB 2244, SB 2286, SCR 4008.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2001, SB 2018, SB 2119.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1293, HB 1304.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The President has signed: HB 1293, HB 1304.

**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 1330.

**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: HCR 3014, HCR 3016, HCR 3020.

**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 1038, HB 1129, HB 1257, HB 1272, HB 1311, HB 1321, HB 1339, HB 1374, HB 1402, HB 1409, HB 1427.

**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 1367.

**MOTION**

**REP. VIGESAA MOVED** that the absent members be excused, which motion prevailed on a voice vote.

**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 9:00 a.m., Wednesday, February 22, 2017, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1279: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1279 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 a new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm; and to declare an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota Century Code is created and enacted as follows:

A public employee who, through the course of the individual's employment and with the consent of the governing body or person responsible for the management of the building, resides in and stores a firearm or dangerous weapon in a residential dwelling that is a government building.

**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1390: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1390 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "drains" with "water management"

Page 1, line 4, replace "06-09.13-03 and" with "61-16-07,"

Page 1, line 4, after the first comma insert "and 61-16-09 and"

Page 1, line 4, remove ", and section 61-32-03.1"

Page 1, line 5, replace "loans to farmers" with "water resource district board members"

Page 1, line 5, replace "drainage" with "water management"

Page 1, remove lines 8 through 20

Page 2, line 1, replace "**Dumping**" with "**Discharging water**"

Page 2, line 3, replace "dumping" with "discharging water from a subsurface outlet"

Page 2, line 3, remove "subsurface"

Page 2, after line 3, insert:

**"SECTION 2. AMENDMENT.** Section 61-16-07 of the North Dakota Century Code is amended and reenacted as follows:

**61-16-07. Water resource board members - Appointment and number.**

When a water resource district has been created, and the state water commission has filed notice with the county auditor of a county where the district or a part thereof is situated, a water resource board ~~shall~~must be appointed within ninety days, as provided herein. If the district's boundaries are confined to one county, the board of county commissioners shall appoint a water resource board consisting of three or five ~~managers~~board members. When a district includes two counties, the water resource board ~~shall~~must consist of five ~~managers~~board members, three appointed by the board of county commissioners of the county having the larger aggregate taxable valuation of property, and two appointed by the board of county commissioners of the other county. If a district includes three counties, the water resource board ~~shall~~must consist of five ~~managers~~board members, one appointed by the board of county commissioners having the lowest aggregate taxable valuation of property in the district, and two appointed by the board of county commissioners of each of the other two counties. If a district includes four or six counties, the water resource board ~~shall~~must consist of two board members from the county having the largest aggregate taxable valuation of property in the district, and one ~~manager~~board member from each of the other counties. If a district includes five or seven counties, the water resource board ~~shall~~must consist of one ~~manager~~board member from each county. Appointments to the water resource board ~~shall~~must be made by the boards of county commissioners of the respective counties."

Page 2, line 7, overstrike "**managers**" and insert immediately thereafter "**board members**"

Page 2, line 27, overstrike "manager" and insert immediately thereafter "board member"

Page 2, line 29, overstrike "manager" and insert immediately thereafter "board member"

Page 2, line 30, overstrike "manager" and insert immediately thereafter "board member"

Page 2, line 31, overstrike "manager" and insert immediately thereafter "board member"

Page 3, line 1, after the fourth comma insert "nonattendance at board meetings, refusal to carry out duties required by law."

Page 3, after line 2, insert:

**"SECTION 4. AMENDMENT.** Section 61-16-09 of the North Dakota Century Code is amended and reenacted as follows:

**61-16-09. Oath of office - Organization of water resource board - Appointment of employees - Meetings.**

Upon receiving notice of appointment as member of the water resource board, such appointee shall take the oath of office prescribed for civil officers. Such oath ~~shall~~must be filed with the secretary of the board. Notice of the appointment of a member or members of a water resource board ~~shall~~must be mailed to the state water commission. Such notice shall state the name and post-office address of each appointee and the date of appointment.

A majority of the ~~managers shall constitute~~board members constitutes a quorum for the transaction of such business as may come before the board, but any number may adjourn a meeting for want of a quorum. The water resource board shall appoint a secretary and treasurer and such other employees as needed for the efficient conduct of the district's business and shall fix their compensation. The offices of secretary and treasurer may be held by the same person. Officers and employees ~~shall~~ hold office at the pleasure of the board.

The board shall provide an office suitable for its use as a meeting place and for conducting the affairs of the district. It shall adopt such rules for transacting the business of the district as it may deem necessary, including the time and place of holding regular meetings of the board. Special meetings may be called by the secretary on order of the chairman of the board or upon written request of two members of the board. Notice of a special meeting ~~shall~~must be mailed to each member of the board at least five days before any such meeting provided, that a special meeting may be held whenever all members of the board are present or consent thereto in writing."

Page 3, line 8, replace "drainage" with "water management"

Page 3, line 13, overstrike "drainage" and insert immediately thereafter "water management"

Page 3, line 15, overstrike "drainage of water" and insert immediately thereafter "water management"

Page 3, line 16, overstrike "drainage" and insert immediately thereafter "water management"

Page 3, line 19, after "lines" insert "beyond an existing easement for the lines"

Page 3, line 20, after "determines" insert ", based on technical evidence,"

Page 3, line 21, overstrike "drainage" and insert immediately thereafter "water management"

Page 3, line 22, overstrike "drainage. Water"

Page 3, line 23, overstrike "resource districts must forward copies of all approved permits to the state engineer" and insert immediately thereafter "water management system. For purposes of this section, "technical evidence" means written information regarding the proposed water management system prepared after consideration of the design and physical aspects of the proposed system, and any adverse hydrological effects, including erosion, flood duration, crop loss, and downstream water control device operation impacts, which may occur to land downstream"

Page 3, line 24, overstrike "drainage" and insert immediately thereafter "subsurface water management"

Page 3, line 26, after the period insert "If the state engineer has not approved or denied the permit within thirty days after receipt of the permit application, the application must be deemed approved by the state engineer."

Page 3, line 28, overstrike "drainage" and insert immediately thereafter "water management system"

Page 3, line 29, overstrike "shows that" and insert immediately thereafter "proves, based on technical evidence."

Page 3, line 29, overstrike "drainage" and insert immediately thereafter "system"

Page 3, line 31, overstrike "flowage easements" and insert immediately thereafter "the applicant to obtain from the downstream landowners notarized letters approving the system"

Page 3, line 31, after the period insert "If all adversely affected landowners provide the notarized approval letters, the board may waive the thirty-day notice period for the meeting to approve or deny the permit."

Page 4, line 3, overstrike "drainage" and insert immediately thereafter "water management"

Page 4, line 3, overstrike "drain" and insert immediately thereafter "water management system"

Page 4, line 4, overstrike "flowage easement" and insert immediately thereafter "a notarized letter of approval"

Page 4, line 4, overstrike "Flowage easements must be filed for"

Page 4, line 5, overstrike "record in the office of the recorder of the county or counties in which the lands are situated."

Page 4, line 6, overstrike "drainage" and insert immediately thereafter "water management"

Page 4, line 8, overstrike "draining" and insert immediately thereafter "system"

Page 4, remove lines 9 through 14

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1433: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1433 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "4-30-33, 4-30-36, 4-30-55.2,"

Page 1, line 3, remove the fourth comma

Page 1, remove lines 6 through 23

Page 2, remove lines 1 through 10

Page 3, line 16, remove "involve interstate commerce or the sale of"

Page 3, replace line 17 with ":

- a. Involve interstate commerce;
- b. Include the sale of uninspected products made from meat, except as provided under subdivision c; or
- c. Include the sale of uninspected products made from poultry, unless:
  - (1) The producer slaughters no more than one thousand poultry raised by the producer during the calendar year;
  - (2) The producer does not buy or sell poultry products, except products produced from poultry raised by the producer; and

(3) The poultry product is not adulterated or misbranded."

Page 3, remove lines 25 through 29

Page 4, remove lines 1 through 6

Renumber accordingly

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Devlin, Delzer, Kempenich, Vigesaa, Weisz and Sens. Klein, J. Lee introduced:

**HCR 3026:** A concurrent resolution requesting the Legislative Management to consider studying the membership and state supervision of the state's occupational and professional licensing boards in order to retain antitrust law immunity.

Was read the first time and referred to the **Human Services Committee**.

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

**Buell J. Reich, Chief Clerk**