

JOURNAL OF THE HOUSE

Sixty-sixth Legislative Assembly

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Bismarck, February 11, 2019

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

The prayer was offered by Sister Anna Rose, St. Vincent's Care Center, Bismarck.

The roll was called and all members were present except Representative Kiefert.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. MEIER rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE MEIER

MR. SPEAKER:

PROCLAMATION
HONORING JUNE HERMAN
FEBRUARY, 11 2019

WHEREAS, June Herman worked for the American Heart Association (AHA) for 37 years, beginning her career as a field director in California, then moving to North Dakota to serve as the Executive Director for the North Dakota/South Dakota Affiliate; and

WHEREAS, June spent the last 20 years working on healthcare and public health policy change for the AHA and serving as a tireless advocate on behalf of North Dakota heart disease and stroke patients and their families; and

WHEREAS, June was THE most prolific Advocacy Director among all AHA staff nationwide; and

WHEREAS, like any great leader, June would never say she was successful on her own, always quick to share credit with the many AHA volunteers, partner organizations, Lawmakers and Administration leaders who made the new laws possible; and

WHEREAS, North Dakota residents are living in a healthier state due to June's remarkable policy success including, but not limited to: statewide Stroke Systems of Care, CPR in Schools, STEMI heart attack systems of care, Medicaid Expansion, statewide Smokefree, funding for Tobacco Prevention Programs, Physical Education standards and requirements, Public Access Defibrillation, Cardiac Ready Communities, Rural Telehealth programs, and many others; and

WHEREAS, June made a profound impact on the many AHA North Dakota volunteers, past and present, who have given their time, treasure, passion and expertise on so many policy issues, traveling to Bismarck and making their voices heard in the State Capitol, sometimes with the media; and

WHEREAS, June was a recognized and stalwart figure in the Capitol during Legislative Session and during Interim Committee Sessions, always available to provide insights and sometimes do battle (in that very June way) with lawmakers; and

WHEREAS, June passed away after an unexpectedly brief battle with pancreatic cancer on November 11, 2018, she will be greatly missed by family, friends and colleagues, and leaves an indelible mark as a relentless warrior for making the world and her beloved North Dakota a better, healthier place.

NOW, THEREFORE, as Governor of the State of North Dakota, I do hereby proclaim February 11, 2019 a day to honor June Herman in the State of North Dakota.

Doug Burgum
Governor

MOTION

REP. LOUSER MOVED that the remarks of Rep. Meier be printed in the Journal, which motion prevailed on a voice vote.

MOTION

REP. LOUSER MOVED that the rules be suspended, pursuant to House Rule 324, for the purpose of temporarily amending the deadline for rereferral of bills to the **House**

Appropriations Committee, which motion prevailed on a voice vote.

MOTION

REP. LOUSER MOVED that House Rule 329, paragraph 4, be amended temporarily to replace twenty-sixth legislative day with twenty-seventh legislative day for all bills except HB 1521, which motion prevailed on a voice vote.

MOTION

REP. LOUSER MOVED moved that in accordance with Joint Rule 204 the House request return of HB 1275 from the Senate for the purpose of reconsideration, which motion prevailed on a voice vote.

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

MR. PRESIDENT: The House respectfully requests the return of: HB 1275.

MOTION

REP. LOUSER MOVED that HB 1426, which is on the Eleventh order, be laid over one legislative day, and that HB 1530, which is on the Eleventh order, be laid over one legislative day, and that HB 1128, which is on the Eleventh order, be laid over one legislative day, which motion prevailed on a voice vote.

MOTION

REP. LOUSER MOVED that HB 1424 be moved to the bottom of the calendar, which motion prevailed on a voice vote.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Porter, Boe, J. Nelson, Pollert, Toman and Sens. Cook, Wardner introduced:
(Approved by the Delayed Bills Committee)

HCR 3043: A concurrent resolution declaring February 14, 2019, as Giving Hearts Day in North Dakota.
Was read the first time.

MOTION

REP. LOUSER MOVED that the rules be suspended, that HCR 3043 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, and be messaged to the Senate immediately, which motion prevailed on a voice vote.

Reps. Porter, Boe, J. Nelson, Pollert, Toman and Sens. Cook, Wardner introduced:
(Approved by the Delayed Bills Committee)

HOUSE CONCURRENT RESOLUTION NO. 3043

A concurrent resolution declaring February 14, 2019, as Giving Hearts Day in North Dakota.

WHEREAS, Giving Hearts Day was started in 2008 by Dakota Medical Foundation and Impact Foundation as the first one-day giving event of its kind in the region; and

WHEREAS, the Alex Stern Family Foundation joined Dakota Medical Foundation and Impact Foundation as a cohost in 2014; and

WHEREAS, this 24-hour fundraising event in North Dakota and northwest Minnesota is dedicated to inspiring donations for charities at givingheartsday.org; and

WHEREAS, Dakota Medical Foundation, Impact Foundation, and Alex Stern Family Foundation jointly support givingheartsday.org to create a powerful, user-friendly website for donors to find and connect with regional charities and for nonprofits to receive donations and recruit volunteers; and

WHEREAS, last year, \$13.2 million was raised from more than 28,000 donors, directly benefiting 400 charitable causes, and since its start, nearly \$55 million has been raised; and

WHEREAS, Giving Hearts Day 2019 includes more than 450 charitable causes and spans the entire state of North Dakota and northwest Minnesota; and

WHEREAS, more than \$4 million has been committed by the cohosts, businesses, and other generous community members to be used for matches, awards, incentives, and scholarships benefiting participating Giving Hearts Day charities; and

WHEREAS, North Dakota citizens are encouraged to experience the joy of giving and ignite others to help great causes positively impact our communities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Sixty-sixth Legislative Assembly declares February 14, 2019, as Giving Hearts Day in North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to Dakota Medical Foundation.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3043: A concurrent resolution declaring February 14, 2019, as Giving Hearts Day in North Dakota.

The question being on the final adoption of the resolution, which has been read.

HCR 3043 was declared adopted on a voice vote.

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 3043.

SIXTH ORDER OF BUSINESS

SPEAKER KLEMIN DEEMED approval of the amendments to HB 1023, HB 1194, HB 1220, HB 1364, HB 1369, HB 1385, HB 1402, HB 1405, HB 1407, HB 1412, HB 1482, HB 1500, and HB 1535.

HB 1194 and HB 1364, as amended, were rereferred to the **Appropriations Committee**.

HB 1023, HB 1220, HB 1369, HB 1385, HB 1402, HB 1405, HB 1407, HB 1412, HB 1482, HB 1500, and HB 1535, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1542: A BILL for an Act to create a task force for the purpose of studying the needs and challenges of North Dakota's autonomous ecosystem; and to provide for a report to the legislative management.

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

YEAS: Beadle; Boe; Boschee; Brandenburg; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Holman; Johnson, M.; Kempenich; McWilliams; Mitskog; Mock; Nelson, J.; Roers Jones; Satrom; Schneider; Steiner; Strinden; Trottier

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Blum; Bosch; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Toman; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

HB 1542 failed.

SECOND READING OF HOUSE BILL

HB 1473: A BILL for an Act to amend and reenact subsection 19 of section 5-01-01, sections 5-01-14, 5-01-16, 5-01-17, and 5-01-19, subsections 4 and 5 of section 5-01-21, and sections 5-03-05, 5-03-06, 5-03-09, and 57-39.6-02 of the North Dakota Century Code, relating to the removal of a requirement for persons engaged in the wholesale

sale and delivery of alcoholic beverages to collect alcoholic beverages wholesale taxes, and an increase in the alcoholic beverages gross receipts tax on all sales of alcoholic beverages; to repeal sections 5-03-04 and 5-03-07, relating to the elimination of alcoholic beverage wholesale taxes; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 81 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Bellew; Boe; Hoverson; Johnson, C.; Johnston; Meier; Ruby, D.; Ruby, M.; Schatz; Schauer; Vetter

NAYS: Adams; Anderson, B.; Anderson, P.; Beadle; Becker; Blum; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

HB 1473 failed.

SECOND READING OF HOUSE BILL

HB 1235: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to a corporate income tax credit and an employer deduction for reimbursement of employee child care expenditures; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 77 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Beadle; Boe; Boschee; Buffalo; Dobervich; Eidson; Hager; Hanson; Holman; Mitskog; Mock; Nelson, M.; Schneider; Schreiber-Beck

NAYS: Anderson, B.; Anderson, D.; Becker; Bellew; Blum; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

HB 1235 failed.

SECOND READING OF HOUSE BILL

HB 1104: A BILL for an Act to amend and reenact section 15.1-37-01, section 50-11.1-02, and subsection 2 of section 50-11.1-14.1 of the North Dakota Century Code, relating to early childhood services and quality improvement.

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 26 YEAS, 67 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, D.; Anderson, P.; Beadle; Boschee; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Heinert; Holman; Howe; Johnson, M.; Keiser; Mock; Nathe; Nelson, J.; O'Brien; Porter; Roers Jones; Schneider; Schreiber-Beck; Weisz; Speaker Klemin

NAYS: Anderson, B.; Becker; Bellew; Blum; Boe; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Hoverson; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Monson; Nelson, M.; Owens; Paulson; Paur; Pollert; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Westlind; Zubke

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1104 failed.

SECOND READING OF HOUSE BILL

HB 1477: 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 sale of flavored e-liquid to 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 60 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Guggisberg; Hager; Hanson; Hatlestad; Heinert; Holman; Hoverson; Johnson, C.; Johnson, D.; Johnson, M.; Karls; Keiser; Koppelman, K.; Kreidt; Laning; Lefor; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Skroch; Tveit; Vetter; Vigasaa; Weisz; Zubke; Speaker Klemin

NAYS: Anderson, B.; Becker; Bellew; Brandenburg; Delzer; Ertelt; Grueneich; Headland; Howe; Johnston; Jones; Kading; Kasper; Kempenich; Koppelman, B.; Longmuir; Louser; Magrum; Marschall; McWilliams; Owens; Paulson; Paur; Rohr; Ruby, D.; Schatz; Schmidt; Simons; Steiner; Strinden; Toman; Trottier; Westlind

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1477 passed.

SECOND READING OF HOUSE BILL

HB 1240: A BILL for an Act to create and enact a new section to chapter 65-01 of the North Dakota Century Code, relating to workforce safety and insurance pilot program; to amend and reenact section 65-05.1-06.3 of the North Dakota Century Code, relating to rehabilitation services pilot programs; and to provide for a report to the legislative management.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1240 passed.

SECOND READING OF HOUSE BILL

HB 1171: A BILL for an Act to create and enact two new sections to chapter 6-09 of the North Dakota Century Code, relating to the development and implementation of a skilled workforce student loan repayment program; to provide a continuing appropriation; to provide for a transfer; to provide an expiration date; 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 83 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Ertelt; Hoverson; Johnston; Kading; Paulson; Ruby, D.; Ruby, M.; Simons; Toman

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1171 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1123: A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to property and casualty insurance risk rating; and to provide for 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich;

Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trotter; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1123 passed.

SECOND READING OF HOUSE BILL

HB 1073: A BILL for an Act to create and enact a new section to chapter 65-01 and a new section to chapter 65-05 of the North Dakota Century Code, relating to a pilot program to assess alternative forms of dispute resolution and the electronic submission of medical billings; to amend and reenact section 65-01-02, subsection 3 of section 65-01-15.1, sections 65-02-21.1, 65-05-09 and 65-05-10, and subsection 4 of section 65-05-28 of the North Dakota Century Code, relating to functional capacity examinations, medical examinations for full-time paid firefighters and law enforcement officers, licensing required for allied health care professionals, average weekly wage upon recurrence of disability, combined partial disability benefits, and medical noncompliance; to repeal section 65-02-07 of the North Dakota Century Code, relating to the organization seal; to provide a continuing appropriation; and to provide for 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trotter; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1073 passed.

SECOND READING OF HOUSE BILL

HB 1063: A BILL for an Act to create and enact section 65-05-40 of the North Dakota Century Code, relating to duration limits for opioid therapy and benzodiazepine; and to provide for 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 44 YEAS, 49 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bellew; Brandenburg; Damschen; Delzer; Devlin; Dockter; Fisher; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, M.; Karls; Keiser; Kempenich; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Martinson; Mitskog; Monson; Nathe; Nelson, J.; O'Brien; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Satrom; Schauer; Schobinger; Schreiber-

Beck; Strinden; Tveit; Vigesaa; Speaker Klemin

NAYS: Adams; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Buffalo; Dobervich; Eidson; Ertelt; Fegley; Grueneich; Guggisberg; Hager; Hanson; Holman; Hoverson; Johnson, D.; Johnston; Jones; Kading; Kasper; Koppelman, B.; Kreidt; Magrum; Marschall; McWilliams; Meier; Mock; Nelson, M.; Paulson; Paur; Rohr; Ruby, M.; Sanford; Schatz; Schmidt; Schneider; Simons; Skroch; Steiner; Toman; Trottier; Vetter; Weisz; Westlind; Zubke

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1063 failed.

MOTION

REP. LOUSER MOVED that the House stand in recess for 10 minutes, which motion prevailed on a voice vote.

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

SECOND READING OF HOUSE BILL

HB 1045: A BILL for an Act to create and enact subsection 16 to section 9-16-01, section 9-16-19, a new section to chapter 10-19.1, and section 10-32.1-102 of the North Dakota Century Code, relating to electronic transaction definitions, blockchain technology and smart contracts, number of shareholders, and series limited liability companies; and to amend and reenact sections 9-16-02, 10-06.1-17, 10-19.1-01, and 10-19.1-01.2, subsection 6 of section 10-19.1-66, subsection 1 of section 10-19.1-73.3, sections 10-19.1-76.3 and 10-19.1-81, subsections 1, 2, and 11 of section 10-19.1-84, subsection 1 of section 10-19.1-110, subsection 2 of section 10-19.1-146, and subsection 2 of section 10-35-28 of the North Dakota Century Code, relating to electronic transactions, filing of an annual report by corporations engaged in farming or ranching, Business Corporation Act definitions, knowledge and notice, share certificates, corporate voting list and voting trusts, acceptance of shareholder act by the corporation, corporate records, corporate dissolution procedure, and the filing of an annual report by a publicly traded corporation.

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

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Bosch; Delzer; Kempenich; Kreidt

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1045 passed.

SECOND READING OF HOUSE BILL

HB 1333: A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to the creation of an innovation loan fund to support

technology advancement committee and loan program; to provide an exemption; to provide a continuing appropriation; and to provide for a transfer.

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

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Blum; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Trottier; Tveit; Vigasaa; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Boe; Delzer; Ertelt; Hoverson; Johnston; Kading; Koppelman, B.; Magrum; Marschall; McWilliams; Paulson; Paur; Rohr; Schatz; Simons; Skroch; Toman; Vetter; Weisz

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1333 passed.

SECOND READING OF HOUSE BILL

HB 1513: A BILL for an Act to amend and reenact subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to individual income tax credits that may be claimed by a taxpayer; to repeal sections 57-38-01.20, 57-38-01.24, and 57-38-01.25 of the North Dakota Century Code, relating to the family care tax credit, internship employment tax credit, and workforce recruitment tax credit; 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 87 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Damschen; Delzer; Devlin; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Anderson, P.; Beadle; Buffalo; Dobervich; Owens; Schreiber-Beck

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1513 passed.

SECOND READING OF HOUSE BILL

HB 1469: A BILL for an Act to create and enact section 19-02.1-16.3 of the North Dakota Century Code, relating to pharmacy benefits manager step therapy protocols.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1469 passed.

SECOND READING OF HOUSE BILL

HB 1468: A BILL for an Act to create and enact a new section to chapter 26.1-33 of the North Dakota Century Code, relating to life insurance policy disclosures; and to provide for 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1468 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3039: A concurrent resolution to prohibit the unconstitutional use of property taxes to fund North Dakota's constitutional obligations.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION. The roll was called and there were 20 YEAS, 73 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Becker; Bellew; Boe; Ertelt; Hoverson; Johnson, C.; Johnston; Kasper; Koppelman, B.; Louser; Magrum; Marschall; McWilliams; Paulson; Ruby, D.; Ruby, M.; Schatz; Simons; Skroch; Toman

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Bosch; Boschee;

Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

Engrossed HCR 3039 was declared lost on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1545: A BILL for an Act to provide for a legislative management study of replacing the revenue generated by property tax with an alternative funding source.

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 66 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker; Bellew; Boe; Bosch; Damschen; Delzer; Devlin; Dockter; Eidson; Ertelt; Fegley; Fisher; Guggisberg; Hatlestad; Hoverson; Johnson, C.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Koppelman, B.; Koppelman, K.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mock; Monson; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Speaker Klemin

NAYS: Adams; Anderson, P.; Blum; Boschee; Brandenburg; Buffalo; Dobervich; Grueneich; Hager; Hanson; Headland; Heinert; Holman; Howe; Johnson, D.; Keiser; Kempenich; Laning; Mitskog; Nathe; Nelson, J.; Nelson, M.; O'Brien; Schneider; Steiner; Westlind; Zubke

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1545 passed.

SECOND READING OF HOUSE BILL

HB 1248: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to optional income tax contributions to the veterans' postwar trust fund.

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 84 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, M.; O'Brien; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Delzer; Headland; Kreidt; Nelson, J.; Paur; Rohr; Simons; Steiner

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1248 passed.

SECOND READING OF HOUSE BILL

HB 1524: A BILL for an Act to provide for a legislative management study of privacy practices in the data broker industry.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trotter; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

Engrossed HB 1524 passed.

SECOND READING OF HOUSE BILL

HB 1142: A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota Century Code, relating to interpretation of the state's insurance laws.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trotter; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

HB 1142 passed.

SECOND READING OF HOUSE BILL

HB 1484: A BILL for an Act to create and enact a new section to chapter 57-51.1 and chapter 65-05.3 of the North Dakota Century Code, relating to a health and human

services stabilization fund and a paid family medical leave program; to amend and reenact sections 15-10-48 and 15-10-49 of the North Dakota Century Code, relating to matching grants for institutions under the control of the state board of higher education; to provide an appropriation; to provide for transfers; to provide statements of legislative intent; 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 NOT PASS, the roll was called and there were 15 YEAS, 78 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Holman; Mitskog; Mock; Nelson, M.; Schneider

NAYS: Anderson, B.; Anderson, D.; Beadle; Becker; Bellew; Blum; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

HB 1484 failed.

SECOND READING OF HOUSE BILL

HB 1373: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to state medical anti-kickback laws; to provide a penalty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 77 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Holman; McWilliams; Mitskog; Mock; Nelson, M.; Schneider

NAYS: Anderson, B.; Anderson, D.; Beadle; Becker; Bellew; Blum; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nelson, J.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert

HB 1373 failed.

SECOND READING OF HOUSE BILL

HB 1337: A BILL for an Act to create and enact chapter 23-27.1 of the North Dakota Century Code, relating to the emergency medical services personnel licensure interstate compact.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Dobervich; Dockter; Eidson; Ertelt; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Devlin; Fegley; Magrum

ABSENT AND NOT VOTING: Kiefert; Monson

HB 1337 passed.

SECOND READING OF HOUSE BILL

HB 1300: A BILL for an Act to provide for a study by the state department of health of a nurse triage program; and to provide a report to the legislative management.

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 26 YEAS, 66 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Beadle; Becker; Boe; Boschee; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Holman; Hoverson; Johnson, C.; Keiser; Louser; McWilliams; Mitskog; Mock; Nelson, M.; Paulson; Schneider; Simons; Toman; Vetter

NAYS: Anderson, B.; Anderson, D.; Bellew; Blum; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Magrum; Marschall; Martinson; Meier; Nathe; Nelson, J.; O'Brien; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Trottier; Tveit; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kiefert; Monson

HB 1300 failed.

MOTION

REP. LOUSER MOVED that Engrossed HB 1249, which is on the Eleventh order, be rereferred to the **Education Committee**, which motion prevailed. Pursuant to Rep. Louser's motion, Engrossed HB 1249 was rereferred.

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 1150, HB 1174, HB 1225, HB 1230, HB 1238, HB 1344, HB 1392, HB 1400, HB 1406, HCR 3004, HCR 3014, HCR 3024, HCR 3026, HCR 3030, HCR 3032, HCR 3036, HCR 3040, HCR 3042.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2039, SB 2196, SB 2241, SB 2249, SB 2289, SB 2295, SB 2342, SCR 4009, SCR 4011.

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 2176, SB 2297.

MOTION

REP. LOUSER MOVED that the absent member be excused, which motion prevailed on a voice vote.

MOTION

REP. LOUSER 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., Tuesday, February 12, 2019, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

HB 1010: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1010 was placed on the Sixth order on the calendar.

Page 1, replace lines 9 through 17 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$905,453	\$51,647	\$957,100
Operating expenses	355,851	(78,000)	277,851
Grants	<u>2,090,494</u>	<u>0</u>	<u>2,090,494</u>
Total all funds	\$3,351,798	(\$26,353)	\$3,325,445
Less estimated income	<u>1,786,922</u>	<u>(48,004)</u>	<u>1,738,918</u>
Total general fund	\$1,564,876	\$21,651	\$1,586,527
Full-time equivalent positions	5.00	0.00	5.00"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1010 - Council on the Arts - House Action**

	<u>Base Budget</u>	<u>House Changes</u>	<u>House Version</u>
Salaries and wages	\$905,453	\$51,647	\$957,100
Operating expenses	355,851	(78,000)	277,851
Grants	<u>2,090,494</u>		<u>2,090,494</u>
Total all funds	\$3,351,798	(\$26,353)	\$3,325,445
Less estimated income	<u>1,786,922</u>	<u>(48,004)</u>	<u>1,738,918</u>
General fund	\$1,564,876	\$21,651	\$1,586,527
FTE	5.00	0.00	5.00

Department 709 - Council on the Arts - Detail of House Changes

	<u>Adjusts Funding for Base Payroll Changes¹</u>	<u>Adds Funding for Salary and Benefit Increases²</u>	<u>Reduces Funding for Operating Expenses³</u>	<u>Removes Funding for One-Time Grant⁴</u>	<u>Total House Changes</u>
Salaries and wages	\$6,833	\$44,814			\$51,647
Operating expenses			(\$30,000)	(\$48,000)	(78,000)
Grants					
Total all funds	\$6,833	\$44,814	(\$30,000)	(\$48,000)	(\$26,353)
Less estimated income	<u>955</u>	<u>0</u>	<u>(959)</u>	<u>(48,000)</u>	<u>(48,004)</u>
General fund	\$5,878	\$44,814	(\$29,041)	\$0	\$21,651
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

<u>General Fund</u>	
Salary increase	\$22,504
Health insurance increase	22,310
Total	\$44,814

³ Reduces funding for operating expenses by \$30,000, of which \$29,041 is from the general fund and \$959 is from other funds.

⁴ Removes funding related to a one-time Bush Foundation grant.

REPORT OF STANDING COMMITTEE

HB 1129: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1129 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1131: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1131 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1141: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1141 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1191: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1191 was placed on the Sixth order on the calendar.

Page 1, line 4, after "budget" insert "; and to amend and reenact section 54-35-02.2 of the North Dakota Century Code, relating to the powers and duties of the legislative audit and fiscal review committee"

Page 1, line 9, replace "Within ninety days of the completion of a state agency audit, the" with "The"

Page 1, line 10, remove "and the director of the budget"

Page 1, after line 11, insert:

"SECTION 2. AMENDMENT. Section 54-35-02.2 of the North Dakota Century Code is amended and reenacted as follows:

54-35-02.2. Powers and duties of the legislative audit and fiscal review committee.

1. The legislative audit and fiscal review committee shall study and review audit reports as selected by the committee from those submitted by the state auditor, confer with the auditor and deputy auditors in regard to such reports, and when necessary, confer with representatives of the department, agency, or institution audited in order to obtain full and complete information in regard to any and all fiscal transactions and governmental operations of any department, agency, or institution of the state. Each department, agency, or institution shall furnish to the committee such aid, information, and assistance in regard to fiscal transactions and governmental operations as it may from time to time request. ~~Whenever~~
2. If the committee ~~may determine~~ ~~determines~~ or ~~have~~ ~~has~~ reason to believe that there may have been a violation of law relating to the receipt, custody, or expenditure of public funds by any state officer or employee,

- the committee shall present ~~such~~the evidence or information as may be in its possession to the attorney general. The attorney general shall receive and accept ~~such~~the evidence or information and shall immediately commence ~~such an~~ additional investigation as the attorney general determines necessary. Upon completion of the investigation, if the evidence supplied by the committee and through the investigation indicates the probability of a violation of law by any state official or employee, the attorney general immediately shall prosecute ~~such~~the official or employee as provided by law. ~~Whenever~~
3. ~~If the committee may determine~~determines that a state agency, department, or institution has failed to correct an audit finding within two bienniums which the committee determines critically important, ~~the~~:
 - a. ~~The~~ committee may recommend the legislative assembly reduce the state agency, department, or institution's appropriation as compared with the amount appropriated to the agency, department, or institution for the previous biennium;
 - b. ~~The~~ committee may direct the office of management and budget to reduce the state agency, department, or institution's current biennial appropriation, excluding federal funds, for salaries and wages and operating expenses as determined by the office of management and budget proportionally as follows:
 - (1) By one percent if the same finding is identified in three audit reports; or
 - (2) By two percent if the same finding is identified in four or more audit reports.
 - c. If the state agency, department, or institution takes action to address the audit findings, the committee may direct the office of management and budget to reinstate the agency, department, or institution's appropriation previously reduced under subdivision b of this subsection.
 - d. Reductions to appropriations under subdivision b of this subsection do not affect the agency, department, or institution's base budget used for budget preparation purposes.
 4. The legislative management, through its committee on legislative audit and fiscal review, or ~~such~~ persons as may be directed or employed by the legislative council, is authorized, within the limits of legislative appropriations, to make ~~such~~ audits, examinations, or studies of the fiscal transactions or governmental operations of departments, agencies, or institutions of the state as the legislative management may determine necessary."

Page 1, line 14, remove "- **Report**"

Page 1, line 15, remove "**to the legislative audit and fiscal review committee**"

Page 1, replace lines 16 through 23 with "The office of management and budget shall reduce or reinstate a state agency, department, or institution's current biennial appropriation for salaries and wages and operating expenses, as determined by the office of management and budget, proportionally within thirty days of notification from the legislative audit and fiscal review committee, in accordance with the provisions of section 54-35-02.2."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1223: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING).

HB 1223 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1354: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1354 was placed on the Sixth order on the calendar.

Page 1, line 15, after the second "a" insert "paid"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1363: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1363 was placed on the Sixth order on the calendar.

Page 1, line 9, after "by" insert "each of"

Page 1, line 9, replace "and" with an underscored comma

Page 1, line 10, after "governor" insert ", and all other elected officials"

Page 1, line 11, after "and" insert ", notwithstanding any other provision of law."

Page 1, line 17, after "to" insert "each of"

Page 1, line 17, replace the second "and" with an underscored comma

Page 1, line 18, after "governor" insert ", and all other elected officials"

Page 1, line 19, after "to" insert "each of"

Page 1, line 19, replace the second "and" with an underscored comma

Page 1, line 19, after the second "governor" insert ", and all other elected officials"

Page 1, line 23, after "and" insert ", notwithstanding any other provision of law."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1383: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1383 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two new sections" with "a new section"

Page 1, line 3, remove "and an environmental impact"

Page 1, line 4, remove "advisory board"

Page 1, line 4, after "reenact" insert "subsection 1 of section 4.1-01-18,"

Page 1, line 6, after "to" insert "the federal environmental law impact review committee,"

Page 1, line 8, remove "and"

Page 1, line 8, after "appropriation" insert "; and to provide a continuing appropriation"

Page 1, after line 9, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 4.1-01-18 of the North Dakota Century Code is amended and reenacted as follows:

1. The federal environmental law impact review committee consists of:
 - a. The commissioner, who shall serve as the chairman;
 - b. The governor or the governor's designee;
 - c. The majority leader of the house of representatives, or the leader's designee;
 - d. The majority leader of the senate, or the leader's designee;
 - e. One member of the legislative assembly from the minority party, selected by the chairman of the legislative management;
 - f. One individual appointed by the lignite energy council;
 - g. One individual appointed by the North Dakota corn growers association;
 - h. One individual appointed by the North Dakota grain growers association;
 - i. One individual appointed by the North Dakota petroleum council;
 - j. One individual appointed by the North Dakota soybean growers association; and
 - k. One individual appointed by the North Dakota stockmen's association;
 - l. One individual appointed by the North Dakota farm bureau;
 - m. One individual appointed by the North Dakota farmers union;
 - n. One representative of an investor-owned utility companies; and
 - o. One representative from the North Dakota association of rural electric cooperatives."

Page 1, line 12, after "**fund**" insert "**- Report to budget section - Continuing appropriation**"

Page 2, line 11, replace "environmental impact advisory board" with "federal environmental law impact review committee"

Page 2, line 14, replace "environmental impact advisory board." with "federal environmental law impact review committee."

6. For purposes of this section, the federal environmental law impact review committee shall hold at least one regular meeting each year and additional meetings as the chairman determines necessary at a time and place set by the chairman. Upon written request of any four members, the presiding officer shall call a special meeting of the committee.
7. The federal environmental law impact review committee shall make determinations for the disbursement of grants in accordance with subsection 2 and provide those determinations to the commissioner.
8. The federal environmental law impact review committee shall provide a biennial report to the budget section of the legislative management.

9. All moneys in the environmental impact mitigation fund are appropriated to the commissioner on a continuing basis for the purposes set forth under subsection 2."

Page 2, remove lines 15 through 31

Page 3, remove lines 1 through 17

Page 5, line 1, remove the overstrike over "and indirect"

Page 5, line 17, remove "consider"

Page 5, line 18, remove "Adverse indirect environmental effects that cannot be avoided should the"

Page 5, replace line 19 with "Require payment for mitigation of any assessed adverse indirect impacts to wildlife or habitat;"

Page 5, line 20, replace "The" with "Require payment to a third-party nongovernmental organization for any assessed adverse direct or indirect impacts to wildlife or habitat; or

c. Consider"

Page 5, line 27, replace "The" with "Subject to subsection 3, the"

Page 5, after line 29, insert:

- "3. At the applicant's request, the agriculture commissioner may provide moneys directly to an organization approved by the federal environmental law impact review committee."

Page 7, line 1, remove the overstrike over "and indirect"

Page 7, line 17, remove "consider"

Page 7, line 18, remove "Adverse indirect environmental effects that cannot be avoided should the"

Page 7, replace line 19 with "Require payment for mitigation of any assessed adverse indirect impacts to wildlife or habitat;"

Page 7, line 20, replace "The" with "Require payment to a third-party nongovernmental organization for any assessed adverse direct or indirect impacts to wildlife or habitat; or

c. Consider"

Page 7, line 27, replace "The" with "Subject to subsection 3, the"

Page 7, after line 29, insert:

- "3. At the applicant's request, the agriculture commissioner may provide moneys directly to an organization approved by the federal environmental law impact review committee."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1409: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
HB 1409 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1418: Transportation Committee (Rep. D. Ruby, Chairman) recommends

AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1418 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "and"

Page 1, line 4, remove "; and to repeal section 39-10-51 of the North"

Page 1, line 5, remove "Dakota Century Code, relating to unattended motor vehicles"

Page 2, line 16, remove "A tax or requirement may not be imposed on an autonomous vehicle without a"

Page 2, replace lines 17 through 20 with "A state or local agency or political subdivision may not impose a tax, fee, or other requirement specific to the operation of an autonomous vehicle that is in compliance with subsection 3 of section 39-01-01.2, an automated driving system, or an on-demand vehicle network. This prohibition does not affect vehicle registration and titling fees otherwise required by law."

Page 4, line 3, remove the overstrike over "~~39-10-51~~"

Page 4, remove line 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1435: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1435 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "state" with "statewide interoperable"

Page 1, line 3, remove "broadcasting"

Page 1, line 4, replace "system" with "network"

Page 1, line 9, overstrike "**State**" and insert immediately thereafter "**Statewide interoperable**"

Page 1, line 9, overstrike "**broadcasting system**" and insert immediately thereafter "**network**"

Page 1, line 11, after "a" insert "statewide interoperable"

Page 1, line 11, overstrike "broadcasting"

Page 1, line 12, overstrike "system" and insert immediately thereafter "network"

Page 1, line 17, overstrike "director" and insert immediately thereafter "chief information officer"

Page 1, line 17, overstrike "system" and insert immediately thereafter "statewide interoperable radio network as directed by the statewide interoperability executive committee"

Page 2, line 19, overstrike "The adjutant general shall call and convene the initial meeting."

Page 2, line 20, overstrike "integrated" and insert immediately thereafter "interoperable"

Page 2, line 21, overstrike "system" and insert immediately thereafter "network"

Page 2, line 21, overstrike "a" and insert immediately thereafter "the statewide interoperable"

Page 2, line 21, overstrike "communication"

Page 2, line 22, overstrike "system" and insert immediately thereafter "network"

Page 2, line 24, replace "state" with "statewide interoperable"

Page 2, line 24, replace "broadcasting system" with "network"

Page 3, line 17, overstrike "The adjutant general shall call and convene the initial meeting."

Page 3, line 18, overstrike "integrated" and insert immediately thereafter "interoperable"

Page 3, line 19, overstrike "system" and insert immediately thereafter "network"

Page 3, line 19, overstrike "a" and insert immediately thereafter "the statewide interoperable"

Page 3, line 19, overstrike "communication"

Page 3, line 20, overstrike "system" and insert immediately thereafter "network"

Page 3, line 22, replace "state" with "statewide interoperable"

Page 3, line 22, replace "broadcasting system" with "network"

Page 3, line 28, overstrike "or radio systems"

Page 3, line 29, overstrike "state" and insert immediately thereafter "statewide interoperable"

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

Page 3, line 29, overstrike "mobile"

Page 3, line 30, overstrike the first "state" and insert immediately thereafter "statewide interoperable"

Page 3, line 30, overstrike "system" and insert immediately thereafter "network"

Page 3, line 30, overstrike "registered with the division of state radio and"

Page 3, line 31, overstrike "assigned a unit number" and insert immediately thereafter "approved by the statewide interoperability executive committee"

Page 3, line 31, overstrike "A one-time fee of ten dollars for registering and assigning unit"

Page 4, overstrike lines 1 and 2

Page 4, line 3, overstrike "numbers annually" and insert immediately thereafter "The chief information officer shall establish a process to register and audit users of the statewide interoperable radio network"

Page 4, line 12, remove "**INTEROPERABLE STATEWIDE**"

Page 4, line 13, replace "**RADIO SYSTEM**" with "**STATEWIDE INTEROPERABLE - RADIO NETWORK**"

Page 4, line 19, overstrike "at a rate of one and one-half percent over the three"

Page 4, line 20, overstrike "month London interbank offered rate, but may not exceed three percent,"

Page 4, line 21, after the first "department" insert "at the prevailing interest rate charged to North Dakota governmental entities"

Page 4, line 27, after "\$40,000,000," insert "and from a Bank of North Dakota line of credit, the sum of \$80,000,000,"

Page 4, line 28, replace "sum" with "sums"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1462: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1462 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 section 20.1-05.1-01 of the North Dakota Century Code, relating to special allocation hunting licenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-05.1-01 of the North Dakota Century Code is amended and reenacted as follows:

20.1-05.1-01. Special allocation hunting license authorization.

1. The director shall authorize issuance of the following annual special allocation hunting licenses:
 - 4- a. Four any deer licenses and six any white-tailed deer licenses per year to the injured military wildlife project of North Dakota for distribution. A license issued under this subsection is valid during the period of the deer bow season.
 - 2- b. One license per year to the national wild turkey federation to hunt wild turkeys in the spring in the manner, places, and times as the governor provides by proclamation. The national wild turkey federation shall hold a raffle for, or may auction to the highest bidder, whether resident or nonresident, the license to hunt wild turkeys. If an individual receives a wild turkey license through the raffle or auction, the individual is not eligible to receive a wild turkey license through the game and fish department that year. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle. Ten percent of the net proceeds of the raffle may be retained by the local, state, or national wild turkey federation entity conducting the raffle. All remaining net proceeds must be deposited in the national wild turkey federation superfund and used for wild turkey management and related projects in this state. The national wild turkey federation shall submit reports concerning the raffle as the director requires.
 - 3- c. Up to two licenses per year to the outdoor adventure foundation to hunt a turkey in the spring season. The foundation shall make authorized licenses available to sponsored qualified youths to hunt as the governor provides by proclamation. A qualified youth receiving a license under this section must comply with hunter education requirements and if under the age of eighteen must be accompanied by an adult twenty-one years of age or older. As used in this section, "qualified youth" means an individual who has cancer or a life-threatening illness, is of legal age to hunt a turkey, is under twenty-five years of age, is a resident, and is sponsored by the foundation. The foundation must provide the department supporting documentation demonstrating compliance with this section.
 - 4- d. One license per year to the midwest chapter of the wild sheep foundation to hunt bighorn sheep in the manner, places, and times as the governor provides by proclamation. The midwest chapter of the wild sheep foundation shall hold a raffle or auction under rules adopted by the director with residents and nonresidents eligible to participate. An individual who has been convicted of illegally taking a

moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this subsection. Ten percent of gross raffle proceeds may be retained by the midwest chapter of the wild sheep foundation and ninety percent of gross raffle proceeds must be remitted to the department. All auction proceeds must be remitted to the department. An individual who receives a license through the raffle or auction may not transfer the license.

- 5- e. One license per year to the North American wildlife enforcement memorial museum and educational center to hunt moose in a manner, places, and times as the governor provides by proclamation. The North American wildlife enforcement memorial museum and educational center shall hold a raffle under rules adopted by the director with residents and nonresidents eligible to participate. The individual who receives the license from the raffle may not transfer the license. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle. The net proceeds distributed to the North American wildlife enforcement memorial museum and educational center must be used for construction and maintenance of the North American wildlife enforcement memorial museum and educational center located at the International Peace Garden. The North American wildlife enforcement memorial museum and educational center shall submit reports concerning the raffle as the director requires. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this subsection.
- 6- f. One license per year to the rocky mountain elk foundation to hunt elk in a manner, places, and times as the governor provides by proclamation. The rocky mountain elk foundation shall hold a raffle under rules adopted by the director with residents and nonresidents eligible to participate. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle. The net proceeds distributed to the rocky mountain elk foundation must be used for elk management or other wildlife and conservation-related projects in North Dakota as described under rocky mountain elk foundation policies and objectives. The rocky mountain elk foundation shall submit reports concerning the raffle as the director requires. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this subsection.
- 7- g. One license per year to the mule deer foundation to hunt mule deer in the manner, places, and times as the governor provides by proclamation. The mule deer foundation shall hold a raffle or auction under rules adopted by the director with residents and nonresidents eligible to participate. If an individual receives a mule deer license through the raffle or auction, the individual is not eligible to receive a mule deer license through the game and fish department that year. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle and all net proceeds of the raffle or auction must be used for mule deer management and related projects in North Dakota. The mule deer foundation shall submit reports concerning the raffle or auction as the director requires.
- 8- h. One license per year to the North Dakota hunter educators association to hunt antelope in the manner, places, and times as the governor prescribes by proclamation. The North Dakota hunter educators association shall hold a raffle under rules adopted by the director. Only residents are eligible to participate. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle and all net proceeds of the raffle must be used for sponsoring mentored hunts for youth who may otherwise not have the means to go afield to hunt, establishing a statewide network of

shooting locations for youth to become familiar with archery equipment and firearms under the supervision of a certified volunteer hunter education instructor, and purchasing advertising in news media during hunting season concerning firearms safety and hunting ethics and the promotion of safe and responsible hunting. If an individual receives an antelope license through the raffle, the individual is not eligible to apply for an antelope license through the game and fish department that year. The North Dakota hunter educators association shall submit reports concerning the raffle as the director requires.

- 9- i. One any elk license, one any moose license, up to ~~seven~~^{four} any white-tailed deer licenses, ~~up to three any antlered deer licenses,~~ and up to two antelope licenses to the outdoor adventure foundation ~~to hunt the species indicated on the license in the manner, places, and times as the governor prescribes by proclamation.~~ The foundation shall make one license available to each qualified youth to hunt the species of big game indicated on the license as provided in the governor's proclamation. A qualified youth receiving a license issued under this section is only valid during an open season for the species indicated as prescribed by the governor's proclamation and for the year indicated on the license or tag. A qualified youth hunting with a license issued under this section may use any weapon that is legal for the species being hunted. However, a qualified youth may use any weapon when hunting with a license under this subsection on private land with the written permission from the landowner. A qualified youth receiving a license under this section must comply with hunter education requirements and if under the age of eighteen must be accompanied by an adult twenty-one years of age or older. As used in this section, "qualified youth" means an individual who has been diagnosed with cancer or a life-threatening illness, is of legal age to hunt the species for which the license is valid, is under twenty-five years of age, is a resident, and is sponsored by the foundation. The foundation must provide the department supporting documentation demonstrating compliance with this section.
2. An organization eligible to receive a license under this section shall provide an annual report on forms provided by the director. The annual report must include the name of the hunters, dates of the hunt, and the species harvested. If an organization fails to submit a complete report required under this subsection, the organization may not receive a license under this section until the organization submits the complete report. If the director determines by clear and convincing evidence that a criminal violation of a state hunting, fishing, or trapping law occurred during a hunt conducted with a license issued under this section, the director may not issue a license under this section for a period of one year to the organization that conducted the hunt. However, the director may issue a license under section 20.1-05.1 to the organization during the one-year period if the organization is otherwise eligible for the license."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1480, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1480 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 on the capturing of gas and the long-term benefits of capturing gas on the state's revenue stream.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - CAPTURING OF GAS.

During the 2019-20 interim, the legislative management shall consider studying solutions to the capturing of gas and the long-term benefits of capturing gas on the state's revenue stream. The study must include an overview and an evaluation of public policies within states, the federal government, tribal nations, and foreign governments aimed at increasing the capture of gas. The study must include consideration of the economic impact and long-term benefits from the capture of gas on the state and the desirability and feasibility of implementing methods or mechanisms to capture all gas, maximize profits, ensure efficient use, and minimize environmental impacts from the capturing of gas. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1523: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1523 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "section" with "sections 4.1-44-03, 4.1-52-11, 4.1-72-07, and"

Page 1, line 4, after the first "to" insert "funds and"

Page 1, line 4, after "of" insert "agriculture commodity groups,"

Page 1, after line 6, insert:

"SECTION 1. AMENDMENT. Section 4.1-44-03 of the North Dakota Century Code is amended and reenacted as follows:

4.1-44-03. Agricultural commodity assessments funds - Investment income allocation - Purposes and uses.

1. Notwithstanding any other provision of law, the state treasurer shall invest in accordance with section 21-10-07 all available moneys in:
 - a. The potato fund;
 - b. The oilseed fund;
 - c. The dry bean fund;
 - d. The dry pea and lentil fund;
 - e. The barley fund;
 - f. The soybean fund;
 - g. The corn fund;
 - h. The honey fund;
 - i. The turkey fund;
 - j. The milk marketing fund;
 - k. The dairy promotion commission fund;
 - l. The state wheat commission fund;
 - m. The ethanol fund; and
 - n. The North Dakota beef commission fund.

2. The investment of moneys must be made in cooperation with the governing body of the respective agricultural commodity entity. The state treasurer shall establish rules, in cooperation with the agricultural commodity organizations, to be followed regarding the investment of moneys in each fund. The state treasurer shall credit twenty percent of the investment income derived from each fund to the general fund in the state treasury as payment for accounting, printing, data processing, legal, and other services when provided without cost by the state to the agricultural commodity entity. The state treasurer shall credit eighty percent of the investment income derived from each fund to the respective fund.
3. The funds identified in subsection 1 are not subject to the fund balance limitations provided in section 54-44-12 and section 4 of this Act. The governing body or entity that administers each fund shall establish policies regarding the permitted uses of the fund and an appropriate fund reserve balance.

SECTION 2. AMENDMENT. Section 4.1-52-11 of the North Dakota Century Code is amended and reenacted as follows:

4.1-52-11. Seed department fund - Continuing appropriation.

1. The seed commissioner shall forward all moneys received under the chapters over which the commissioner has authority to the state treasurer for deposit in a special fund known as the seed department fund. All moneys in the seed department fund are appropriated on a continuing basis to the seed department to carry out its statutory and regulatory obligations. The seed department fund is not subject to the fund balance limitations provided in section 54-44-12 and section 4 of this Act.
2. The seed commissioner shall approve all expenditures made pursuant to the chapters over which the commissioner has authority and shall document the expenditures at the time and in the manner required by the office of management and budget.
3. The seed commissioner shall provide a report to the house and senate appropriations committees of the legislative assembly, at the time and in the manner directed by the chairmen of the committees. The report must contain a summary of the department's activities during the current biennium and a statement of revenues and expenditures for the ensuing biennium.
4. At the direction of the seed commission, the state treasurer shall invest all available moneys in the seed department fund. The state treasurer shall credit twenty percent of the investment income to the general fund and the remaining eighty percent of the investment income to the seed department fund.

SECTION 3. AMENDMENT. Section 4.1-72-07 of the North Dakota Century Code is amended and reenacted as follows:

4.1-72-07. Collection of fees - Continuing appropriation.

The North Dakota stockmen's association shall forward all moneys received under this title to the state treasurer for deposit in a special fund known as the North Dakota stockmen's association fund. All moneys in the North Dakota stockmen's association fund, together with all income earned on the moneys in the fund, are appropriated on a continuing basis to the North Dakota stockmen's association to carry out its statutory directives. The North Dakota stockmen's association fund is not subject to the fund balance limitations provided in section 54-44-12 and section 4 of this Act."

Page 1, line 13, after "to" insert "one-half of"

Page 1, line 13, replace "annual" with "biennial"

Page 1, line 16, replace "annual" with "biennial"

Page 1, line 17, replace "three" with "two"

Page 1, line 17, replace "fiscal years" with "bienniums"

Page 1, line 18, replace "Any" with "A fund categorized as an enterprise or internal service fund, as reported in the most recent state comprehensive annual financial report, and any"

Page 1, line 19, replace "statutory or contractual requirements" with "the following"

Page 1, line 20, after "section" insert:":

1. Funds held due to a constitutional or statutory provision;
2. Funds obligated for future projects and expenses; and
3. Funds held due to a contractual requirement or due to pending litigation"

Page 2, line 2, remove " - **Transfer**"

Page 2, line 13, remove "transfer the excess amount of funds from the"

Page 2, line 14, replace "account to the state treasurer for deposit in the legacy fund" with "reduce the fees charged by the entity by fifty percent until the balance of the account is below two hundred fifty thousand dollars or an amount equal to the annual expenses of the entity"

Page 2, line 18, replace "statutory or contractual requirements" with "the following"

Page 2, line 19, after "section" insert:":

1. Funds held due to a constitutional or statutory provision;
2. Funds held pursuant to the provisions of an administrative rule adopted under chapter 28-32;
3. Funds obligated for future projects and expenses; and
4. Funds held due to a contractual requirement or due to pending litigation"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3009: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3009 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk