

JOURNAL OF THE HOUSE

Sixty-fifth Legislative Assembly

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Bismarck, January 13, 2017

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

The prayer was offered by Chaplain Merle Hoots, Baptist Home, Bismarck.

The roll was called and all members were present except Representatives Boe, Carlson, and Holman.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER BELLEW DEEMED approval of the amendments to HB 1056, HB 1057, HB 1087, HB 1093, HB 1100, HB 1119, HB 1136, and HB 1137.

HB 1056, HB 1057, HB 1087, HB 1093, HB 1100, HB 1119, HB 1136, and HB 1137, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1099: A BILL for an Act to amend and reenact subsection 3 of section 19-03.5-01 of the North Dakota Century Code, relating to the definition of controlled substance.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

HB 1099 passed.

SECOND READING OF HOUSE BILL

HB 1051: A BILL for an Act to repeal section 15.1-21-15 of the North Dakota Century Code, relating to the electronic course delivery approval process.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; 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.; Kreidt; 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.; Ruby, M.; 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: Boe; Carlson; Holman

HB 1051 passed.

SECOND READING OF HOUSE BILL

HB 1140: A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to the membership of school board advisory committees.

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 29 YEAS, 62 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Becker, Rick C.; Boehning; Brandenburg; Delzer; Devlin; Ertelt; Headland; Kasper; Kempenich; Kiefert; Koppelman, B.; Kreidt; Laning; Louser; Magrum; Nelson, M.; Olson; Paur; Pollert; Rohr; Ruby, D.; Schatz; Schmidt; Simons; Streyle; Trottier; Vigesaa; Weisz; Speaker Bellew

NAYS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Bosch; Boschee; Brabandt; Damschen; Delmore; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Klemin; Koppelman, K.; Lefor; Longmuir; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Porter; Pyle; Roers Jones; Ruby, M.; Sanford; Satrom; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Toman; Vetter; Westlind; Zubke

ABSENT AND NOT VOTING: Boe; Carlson; Holman

HB 1140 failed.

SECOND READING OF HOUSE BILL

HB 1142: A BILL for an Act to amend and reenact subsection 2 of section 15.1-36-01 of the North Dakota Century Code, relating to the approval of new school construction projects.

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 32 YEAS, 59 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Becker, Rick C.; Boehning; Brandenburg; Delzer; Dockter; Ertelt; Headland; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Louser; Magrum; Meier; Olson; Paur; Pollert; Rohr; Ruby, D.; Schatz; Schmidt; Simons; Steiner; Streyle; Toman; Trottier; Vigesaa; Weisz; Speaker Bellew

NAYS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Bosch; Boschee; Brabandt; Damschen; Delmore; Devlin; Dobervich; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.;

Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Klemin; Lefor; Longmuir; Maragos; Marschall; Martinson; McWilliams; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Porter; Pyle; Roers Jones; Ruby, M.; Sanford; Satrom; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Sukut; Vetter; Westlind; Zubke

ABSENT AND NOT VOTING: Boe; Carlson; Holman

HB 1142 failed.

SECOND READING OF HOUSE BILL

HB 1134: A BILL for an Act to amend and reenact sections 25-01.2-01, 25-01.2-03, 25-01.2-04, 25-01.2-05, 25-01.2-06, 25-01.2-08, 25-01.2-09, 25-01.2-10, 25-01.2-11, 25-01.2-12, 25-01.2-14, 25-01.2-15, 25-01.2-16, and 25-04-02.1, subsection 4 of section 25-04-05, subsection 2 of section 25-16-01, section 25-16-04, subsection 2 of section 25-16.1-01, section 25-16.1-03, and subsection 2 of section 25-18-01 of the North Dakota Century Code, relating to updating definitions and code sections to reflect person first language, updating language to reflect rights of the developmentally disabled, and to clarify inspection of facilities.

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; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; 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.; Kreidt; 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.; Ruby, M.; 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: Boe; Carlson; Holman

Engrossed HB 1134 passed.

SECOND READING OF HOUSE BILL

HB 1094: A BILL for an Act to amend and reenact section 43-04-07 of the North Dakota Century Code, relating to per diem for board of barber examiners board members.

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 79 YEAS, 12 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Beadle; Becker, Rick C.; Bosch; Devlin; Johnston; Kading; Meier; Pollert; Ruby, D.; Simons; Skroch; Speaker Bellew

ABSENT AND NOT VOTING: Boe; Carlson; Holman

HB 1094 passed.

SECOND READING OF HOUSE BILL

HB 1092: A BILL for an Act to amend and reenact sections 43-04-26, 43-04-31, 43-04-32, 43-04-33, 43-04-35, 43-04-36, 43-04-39, 43-04-42, and 43-04-45 of the North Dakota Century Code, relating to the repeal of apprentice barbering requirements; and to repeal sections 43-04-22, 43-04-23, 43-04-28, 43-04-29, and 43-04-34 of the North Dakota Century Code, relating to the repeal of apprentice barbering requirements.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

HB 1092 passed.

SECOND READING OF HOUSE BILL

HB 1127: A BILL for an Act to amend and reenact subsection 21 of section 4-30-01 and sections 4-30-36.2, 4-30-36.3, and 4-30-36.4 of the North Dakota Century Code, relating to the definition of Pasteurized Milk Ordinance and to the Pasteurized Milk Ordinance revision.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

HB 1127 passed.

SECOND READING OF HOUSE BILL

HB 1113: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and sections 43-18-12.1, 43-18.1-04.1, and 43-18.2-07.1, relating to criminal history record checks for plumbers, water conditioning contractors and installers, and sewer and water installers; and to amend and reenact section 43-18-15 of the North Dakota Century Code, relating to temporary licenses for plumbers pending criminal history record checks.

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 42 YEAS, 49 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Bosch; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Hatlestad; Headland; Hogan; Johnson, C.; Karls; Kasper; Keiser; Klemin; Laning; Lefor; Longmuir; Louser; Maragos; Martinson; Mitskog; Mock; Monson; Nathe; O'Brien; Owens; Porter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schobinger; Schreiber-Beck; Sukut; Westlind; Zubke

NAYS: Becker, Rich S.; Blum; Boehning; Brabandt; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Heinert; Howe; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Magrum; Marschall; McWilliams; Meier; Nelson, J.; Nelson, M.; Oliver; Olson; Paur; Pollert; Pyle; Rohr; Schatz; Schmidt; Schneider; Seibel; Simons; Skroch; Steiner; Streyle; Toman; Trottier; Vetter; Vigasaa; Weisz; Speaker Bellew

ABSENT AND NOT VOTING: Boe; Carlson; Holman

HB 1113 failed.

SECOND READING OF HOUSE BILL

HB 1089: A BILL for an Act to create and enact subsection 10 to section 55-08-05 of the North Dakota Century Code, relating to advertising sales in parks and recreation publications.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; 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.; Kreidt; 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.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Boe; Carlson; Holman; Streyle

HB 1089 passed.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2034, SB 2049, SB 2087, SB 2100, SB 2103, SB 2105, SB 2106, SB 2120, SB 2127, SB 2128, SB 2129, SB 2132, SB 2140.

MOTION

REP. VIGESAA MOVED that the absent members be excused, which motion prevailed.

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, January 16, 2017, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1025: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1025 was placed on the Sixth order on the calendar.

Page 1, line 5, remove the first "and"

Page 1, line 7, after "licenses" insert "; and to declare an emergency"

Page 4, line 11, after "distribution" insert ". A license issued under this subsection is valid during the period of the deer bow season"

Page 7, line 24, after the underscored comma insert "if determined appropriate by the director based on the sustainability of the species population."

Page 7, line 24, replace "authorize issuance" with "issue"

Page 7, line 25, remove "of"

Page 8, line 5, replace "a" with "up to two"

Page 8, line 6, replace "license" with "licenses"

Page 12, after line 2, insert:

"SECTION 8. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1027: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1027 was placed on the Sixth order on the calendar.

Page 1, line 20, remove "first one dollar of the"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1096: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1096 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1098: Education Committee (Rep. Owens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1098 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 section to chapter 15.1-18 of the North Dakota Century Code, relating to teacher requirements for prekindergarten and kindergarten; to amend and reenact subdivision a of subsection 1 of section 15.1-07-32 and section 15.1-18-02 of the North Dakota Century Code, relating to teacher requirements; and to repeal sections 15.1-18-07, 15.1-18-08, and 15.1-18-09 of the North Dakota Century Code, relating to elementary, middle, and high school teacher qualifications.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subdivision a of subsection 1 of section 15.1-07-32 of the North Dakota Century Code is amended and reenacted as follows:

- a. Meet the ~~qualifications~~requirements of an elementary school teacher as set forth in section ~~15.1-18-073~~of this Act; or

SECTION 2. AMENDMENT. Section 15.1-18-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-18-02. Prekindergarten and kindergarten teacher ~~qualifications~~ -- Exceptions~~requirements~~.

In order to teach prekindergarten and kindergarten, an individual must be:

1. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and
2.
 - a. Have a major in elementary education and a kindergarten endorsement;
 - b. Have a major equivalency in elementary education and a kindergarten endorsement;
 - c. Have a major in elementary education and an early childhood education endorsement;
 - d. Have a major equivalency in elementary education and an early childhood education endorsement;
 - e. Have a major in early childhood education; ~~or~~
 - f. Have a major equivalency in early childhood education; or
 - g. Have a minor in early childhood education.

SECTION 3. A new section to chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

Grades one through twelve - Teacher requirements.

1. An individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board may teach any grade from one through eight, provided the individual meets any requirements established in accordance with section 15.1-18-10 and has:
 - a. A major in elementary education; or
 - b. A major equivalency in elementary education.
2. An individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and

practices board may teach any grade from five through eight, provided the individual has:

- a. A major in middle level education; or
 - b. A major equivalency in middle level education.
3. An individual who is licensed to teach at the secondary level by the education standards and practices board or approved to teach at the secondary level by the education standards and practices board may teach any area at any grade from five through twelve, provided the individual has:
- a. A major in the area being taught;
 - b. A major equivalency in the area being taught;
 - c. A minor in the area being taught; or
 - d. A minor equivalency in the area being taught.

SECTION 4. REPEAL. Sections 15.1-18-07, 15.1-18-08, and 15.1-18-09 of the North Dakota Century Code are repealed.

"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1102: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1102 was placed on the Sixth order on the calendar.

Page 1, line 20, remove "The permit must be displayed clearly and must be affixed securely"

Page 1, line 21, remove "on the off-highway vehicle."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1111: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1111 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1117: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1117 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1121: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1121 was placed on the Sixth order on the calendar.

Page 1, line 1, after "12.1-32-09.1" insert "and subsection 2 of section 28-32-01"

Page 1, line 2, after "offenders" insert "and the definition of administrative agencies"

Page 1, line 9, overstrike "on" and insert immediately thereafter "as of"

Page 1, after line 11, insert:

"SECTION 2. AMENDMENT. Subsection 2 of section 28-32-01 of the North Dakota Century Code is amended and reenacted as follows:

2. "Administrative agency" or "agency" means each board, bureau, commission, department, or other administrative unit of the executive branch of state government, including one or more officers, employees, or other persons directly or indirectly purporting to act on behalf or under authority of the agency. An administrative unit located within or subordinate to an administrative agency must be treated as part of that agency to the extent it purports to exercise authority subject to this chapter. The term administrative agency does not include:
 - a. The office of management and budget except with respect to rules made under section 32-12.2-14, rules relating to conduct on the capitol grounds and in buildings located on the capitol grounds under section 54-21-18, rules relating to the classified service as authorized under section 54-44.3-07, and rules relating to state purchasing practices as required under section 54-44.4-04.
 - b. The adjutant general with respect to the department of emergency services.
 - c. The council on the arts.
 - d. The state auditor.
 - e. The department of commerce with respect to the division of economic development and finance.
 - f. The dairy promotion commission.
 - g. The education factfinding commission.
 - h. The educational technology council.
 - i. The board of equalization.
 - j. The board of higher education.
 - k. The Indian affairs commission.
 - l. The industrial commission with respect to the activities of the Bank of North Dakota, North Dakota housing finance agency, public finance authority, North Dakota mill and elevator association, North Dakota farm finance agency, the North Dakota transmission authority, and the North Dakota pipeline authority.
 - m. The department of corrections and rehabilitation except with respect to the:
 - (1) The activities of the division of adult services under chapter 54-23.4; and
 - (2) Offender life expectancy mortality tables under subsection 2 of section 12.1-32-09.1.
 - n. The pardon advisory board.
 - o. The parks and recreation department.
 - p. The parole board.
 - q. The state fair association.

- r. The attorney general with respect to activities of the state toxicologist and the state crime laboratory.
- s. The board of university and school lands except with respect to activities under chapter 47-30.1.
- t. The administrative committee on veterans' affairs except with respect to rules relating to the supervision and government of the veterans' home and the implementation of programs or services provided by the veterans' home.
- u. The industrial commission with respect to the lignite research fund except as required under section 57-61-01.5.
- v. The attorney general with respect to guidelines adopted under section 12.1-32-15 for the risk assessment of sexual offenders, the risk level review process, and public disclosure of information under section 12.1-32-15.
- w. The commission on legal counsel for indigents.
- x. The attorney general with respect to twenty-four seven sobriety program guidelines and program fees.
- y. The industrial commission with respect to approving or setting water rates under chapter 61-40."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1131: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1131 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1138: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1138 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1148: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1148 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1149: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1149 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1153: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1153 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1158: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1158 was placed on the Sixth order on the calendar.

Page 1, line 11, overstrike "twenty-five" and insert immediately thereafter "sixty"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1159: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1159 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk

