

## JOURNAL OF THE HOUSE

### Sixty-seventh Legislative Assembly

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**Bismarck, February 1, 2021**

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

The prayer was offered by Pastor Josh Skjoldal, Evangel Church, Bismarck.

The roll was called and all members were present except Representatives Boe and Richter.

A quorum was declared by the Speaker.

#### SIXTH ORDER OF BUSINESS

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to HB 1097, HB 1098, HB 1197, HB 1338, and HB 1482.

HB 1097, HB 1098, HB 1197, HB 1338, and HB 1482, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTION

**REP. LOUSER MOVED** that HB 1237 be moved to the bottom of the Eleventh order, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1163:** A BILL for an Act to amend and reenact section 23-01-44 of the North Dakota Century Code, relating to the needle exchange program.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 50 YEAS, 42 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Beltz; Boschee; Buffalo; Cory; Devlin; Dobervich; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Kading; Keiser; Klemin; Longmuir; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paulson; Paur; Pollert; Pyle; Roers Jones; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Thomas; Vetter; Vigesaa; Weisz; Zubke

**NAYS:** Anderson, D.; Becker; Bellew; Bosch; Brandenburg; Christensen; Damschen; Delzer; Dockter; Ertelt; Fegley; Fisher; Heinert; Jones; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nehring; Owens; Porter; Rohr; Ruby, D.; Ruby, M.; Schatz; Simons; Skroch; Steiner; Toman; Trottier; Tveit; Westlind; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Richter

Engrossed HB 1163 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1103:** A BILL for an Act to create and enact sections 23-10-06.1 and 23-10-06.2 of the North Dakota Century Code, relating to mobile home park, recreational vehicle park, and campground license renewals and transfers; to amend and reenact sections 23-10-01, 23-10-02, 23-10-02.1, 23-10-03, 23-10-04, 23-10-06, 23-10-07, 23-10-07.1, 23-10-09, 23-10-10, 23-10-10.1, 23-10-11, and 23-10-12 of the North Dakota Century Code, relating to mobile home parks, recreational vehicle parks, and campgrounds; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Bellew; Ertelt; Magrum; Ruby, D.; Simons; Toman

**ABSENT AND NOT VOTING:** Boe; Richter

Engrossed HB 1103 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1218:** A BILL for an Act to amend and reenact section 20.1-08-04.9 of the North Dakota Century Code, relating to hunting by nonresidents who own land in North Dakota.

**ROLL CALL**

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

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

**ABSENT AND NOT VOTING:** Boe; Richter

Engrossed HB 1218 passed.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3006:** A concurrent resolution urging Congress and the President of the United States to protect the Second Amendment of the United States Constitution.

**ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading;

Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Hanson

**ABSENT AND NOT VOTING:** Boe; Richter

Engrossed HCR 3006 was declared adopted on a recorded roll call vote.

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#### SECOND READING OF HOUSE BILL

**HB 1096:** A BILL for an Act to create and enact sections 49-22-25, 49-22-26, 49-22.1-23, and 49-22.1-24 of the North Dakota Century Code, relating to energy conversion and transmission siting and facilities; to amend and reenact subsection 3 of section 49-22-03, section 49-22-07.2, subsections 1 and 4 of section 49-22-13, subsection 1 of section 49-22-22, subsections 3 and 7 of section 49-22.1-01, section 49-22.1-05, subsections 1 and 4 of section 49-22.1-10, and subsection 1 of section 49-22.1-21 of the North Dakota Century Code, relating to energy conversion and transmission siting and facilities; and to repeal section 49-22.1-22 of the North Dakota Century Code, relating to removal of electrical standards requirement from gas and liquid energy transmission 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 83 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Dockter; Fegley; Fisher; Hager; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Adams; Devlin; Dobervich; Ertelt; Guggisberg; Hanson; Ista; Magrum; Nelson, M.

**ABSENT AND NOT VOTING:** Boe; Richter

Engrossed HB 1096 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1124:** A BILL for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to evidence-based alcohol and drug education program for individuals under twenty-one years of age who purchase, possess, or consume an alcoholic beverage; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich;

Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Buffalo; Hanson

**ABSENT AND NOT VOTING:** Boe; Richter

HB 1124 passed.

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### SECOND READING OF HOUSE BILL

**HB 1223:** A BILL for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to the penalty for an individual under twenty-one years of age who consumes, purchases, or possesses an alcoholic beverage; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Toman; Trottier; Vetter; Westlind; Zubke

**NAYS:** Anderson, D.; Damschen; Delzer; Devlin; Ruby, D.; Schatz; Thomas; Tveit; Vigasaa; Weisz; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Richter

HB 1223 passed.

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### SECOND READING OF HOUSE BILL

**HB 1184:** A BILL for an Act to amend and reenact subsection 3 of section 5-02-06 of the North Dakota Century Code, relating to prohibitions for an individual under twenty-one years of age; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe;

Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Damschen; Karls

**ABSENT AND NOT VOTING:** Boe; Richter

HB 1184 passed.

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### SECOND READING OF HOUSE BILL

**HB 1500:** A BILL for an Act to amend and reenact sections 15-08-19, 57-20-26, and 57-28-01 of the North Dakota Century Code, relating to the period of property tax delinquency before foreclosure of a tax lien; to provide for application; 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 34 YEAS, 58 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Becker; Bellew; Beltz; Brandenburg; Christensen; Damschen; Ertelt; Fegley; Hagert; Hoverson; Jones; Kasper; Kempenich; Kiefert; Koppelman, B.; Kreidt; Magrum; Marschall; Nelson, J.; Nelson, M.; Ostlie; Owens; Paulson; Ruby, D.; Satrom; Schauer; Simons; Skroch; Toman; Tveit; Vetter; Weisz; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, B.; Anderson, D.; Bosch; Boschee; Buffalo; Cory; Delzer; Devlin; Dobervich; Dockter; Fisher; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Kading; Karls; Keiser; Klemin; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; O'Brien; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Vigesaa; Westlind; Zubke

**ABSENT AND NOT VOTING:** Boe; Richter

HB 1500 failed.

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### SECOND READING OF HOUSE BILL

**HB 1214:** A BILL for an Act to amend and reenact section 57-32-01 of the North Dakota Century Code, relating to taxes imposed on air carrier transportation companies; 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 PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz;

Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Mitskog; Richter

HB 1214 passed.

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### SECOND READING OF HOUSE BILL

**HB 1350:** A BILL for an Act to amend and reenact subsection 7 of section 21-03-07 of the North Dakota Century Code, relating to voter approval for school construction bonds.

### 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 11 YEAS, 80 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Buffalo; Dobervich; Guggisberg; Hanson; Hatlestad; Heinert; Ista; Longmuir; Monson; Nelson, J.; O'Brien

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Headland; Hoverson; Howe; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Nathe; Nehring; Nelson, M.; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Richter

HB 1350 failed.

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### SECOND READING OF HOUSE BILL

**HB 1108:** A BILL for an Act to amend and reenact sections 11-11-37 and 40-01-09.1 of the North Dakota Century Code, relating to notification requirements.

### 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 31 YEAS, 62 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Becker; Bosch; Cory; Dockter; Guggisberg; Hager; Hatlestad; Heinert; Howe; Ista; Johnson, M.; Klemin; Koppelman, B.; Louser; Marschall; O'Brien; Ostlie; Paulson; Pyle; Roers Jones; Ruby, D.; Ruby, M.; Schobinger; Schreiber-Beck; Simons; Steiner; Strinden; Thomas; Vetter; Westlind

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boschee; Brandenburg; Buffalo; Christensen; Damschen; Delzer; Devlin; Dobervich; Ertelt; Fegley; Fisher; Hagert; Hanson; Headland; Hoverson; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Kreidt; Lefor; Longmuir; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; Owens; Paur; Pollert; Porter; Richter; Rohr; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Skroch; Stemen; Toman; Trottier; Tveit; Vigesaa; Weisz; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe

Engrossed HB 1108 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1146:** A BILL for an Act to amend and reenact subsection 4 of section 37-17.3-02.2 and section 37-17.3-03 of the North Dakota Century Code, relating to rulemaking authority of the statewide interoperability executive committee and eligibility for statewide interoperable radio network access; and to declare an emergency.

**CONFLICT OF INTEREST**

**REP. PORTER STATED** that he had a conflict of interest on Engrossed HB 1146.

**MOTION**

**REP. LOUSER MOVED** that Rep. Porter be allowed to vote on Engrossed HB 1146, which motion prevailed on a voice vote.

**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.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe

Engrossed HB 1146 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1058:** A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to the state's leave sharing program; to amend and reenact section 54-06-14.4 of the North Dakota Century Code, relating to state employee leave for organ or bone marrow donation; and to repeal sections 54-06-14.1 and 54-06-14.2 of the North Dakota Century Code, relating to the state's leave sharing program.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Ruby, D.; Simons

**ABSENT AND NOT VOTING:** Boe

Engrossed HB 1058 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1336:** A BILL for an Act to amend and reenact section 39-08-01.6 of the North Dakota Century Code, relating to sealing a criminal record of a driving under the influence offense; and to provide for retroactive application.

**ROLL CALL**

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Buffalo; Ertelt; Owens

**ABSENT AND NOT VOTING:** Boe; Kempenich

Engrossed HB 1336 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1216:** A BILL for an Act to amend and reenact subsection 2 of section 61-16-08 of the North Dakota Century Code, relating to compensation and reimbursement of water resource district board members.

**CONFLICT OF INTEREST**

**REP. DAMSCHEN STATED** that he had a conflict of interest on Engrossed HB 1216.

**MOTION**

**REP. LOUSER MOVED** that Rep. Damschen be allowed to vote on Engrossed HB 1216, which motion prevailed on a voice vote.

**CONFLICT OF INTEREST**

**REP. SCHMIDT STATED** that he had a conflict of interest on Engrossed HB 1216.

**MOTION**

**REP. LOUSER MOVED** that Rep. Schmidt be allowed to vote on Engrossed HB 1216, which motion prevailed on a voice vote.

**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 70 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Bosch; Boschee; Brandenburg; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hager; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.;



O'Brien; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Adams; Becker; Bellew; Buffalo; Christensen; Delzer; Ertelt; Heinert; Hoverson; Kading; Koppelman, B.; Magrum; Marschall; Paur; Rohr; Ruby, D.; Schatz; Schobinger; Simons; Skroch; Toman; Vetter; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe

Engrossed HB 1216 passed.

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### SECOND READING OF HOUSE BILL

**HB 1473:** A BILL for an Act to amend and reenact section 43-09-09.2 of the North Dakota Century Code, relating to advertising practices of electricians; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 87 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Guggisberg; Hatlestad; Richter; Satrom; Schauer

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe

HB 1473 failed.

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### SECOND READING OF HOUSE BILL

**HB 1381:** A BILL for an Act to create and enact a new subsection to section 40-23-10 of the North Dakota Century Code, relating to notice requirements; to amend and reenact sections 40-22-10 and 40-23.1-08 of the North Dakota Century Code, relating to notice requirements and the engineer's report for special improvement districts.

### 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.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit;

Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe

HB 1381 passed.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1148, HB 1157, HB 1199, HB 1252, HCR 3004.

**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 2060, SB 2083, SB 2130, SB 2132, SB 2134, SB 2178, SB 2182, SB 2265, SB 2273.

**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 2128, SB 2261.

**MOTION**

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

**MOTION**

**REP. LOUSER 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., Tuesday, February 2, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1073, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1073 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new section to chapter 23-01 and"

Page 1, line 3, remove "the state department of health and"

Page 1, line 4, replace "subdivisions n and" with "subdivision"

Page 1, line 8, replace "Subdivisions n and" with "Subdivision"

Page 1, line 9, replace "are" with "is"

Page 1, remove lines 10 through 14

Page 1, remove lines 21 and 22

Page 2, remove lines 1 through 9

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1120: 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 1120 was placed on the Sixth order on the calendar.

Page 1, line 1, after the first "new" insert "subsection to section 20.1-02-04, a new"

Page 1, line 1, after "20.1-03" insert a comma

Page 1, line 2, after "to" insert "white-tailed"

Page 1, line 3, after "veterans" insert "; and to provide a report to the legislative management"

Page 1, after line 4 insert:

**"SECTION 1.** A new subsection to section 20.1-02-04 of the North Dakota Century Code is created and enacted as follows:

Annually report to the legislative management regarding the number of disabled veteran white-tailed deer licenses issued during the most recent season."

Page 1, after line 7 insert "1."

Page 1, line 8, after "proclamation" insert "and depending on availability"

Page 1, line 9, replace "is entitled to" with "may"

Page 1, line 10, after the first "veteran" insert "white-tailed"

Page 1, line 10, after "any" insert "white-tailed"

Page 1, line 11, after "during" insert "the five days preceding"

Page 1, line 11, after "season" insert "and during the deer gun season"

Page 1, line 11, after the underscored period insert "The director shall make one hundred disabled veteran white-tailed deer licenses available each year."

2."

Page 1, line 11, after "veteran" insert "white-tailed"

Page 1, line 12, after "refuge" insert "or other public land"

Page 1, line 12, after the underscored period insert "The director shall identify the five deer hunting units with the lowest selection rates for deer hunting licenses. Disabled veteran white-tailed deer licenses may not be used in those five units."

3."

Page 1, line 13, after "veteran" insert "white-tailed"

Page 1, line 13, replace "any" with "the deer gun"

Page 1, line 13, remove the second "for"

Page 1, line 14, replace "deer licenses" with "for the same season"

Page 1, line 17, after "veteran" insert "white-tailed"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1129, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1129 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1137: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1137 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1149: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT**

**PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1149 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1159: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1159 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding natural gas infrastructure development.

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY.** During the 2021-22 interim, the legislative management shall consider studying natural gas and propane infrastructure development in the state. The study must include consideration of the current infrastructure available for natural gas and propane, challenges related to the development of natural gas and propane infrastructure, community needs for natural gas and propane infrastructure, and a cost benefit analysis of any state incentives to encourage the development of natural gas and propane infrastructure. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1178: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1178 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1182: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1182 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1211: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1211 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1239: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1239 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1256: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1256 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and a new section to"

Page 1, line 2, remove "chapter 16.1-08.1"

Page 1, line 2, remove "endorsements and"

Page 1, line 3, remove "contributions by the governor and"

Page 1, line 4, remove "; and to provide a penalty"

Page 1, remove lines 11 through 15

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1279: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1279 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 39-06.1-06, 40-05-06, and 40-11-12 of the North Dakota Century Code, relating to the amount of statutory fees, city fines, and the nonpayment of fines; and to provide a penalty.

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

**SECTION 1. AMENDMENT.** Section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

**39-06.1-06. Amount of statutory fees.**

The fees required for a noncriminal disposition under section 39-06.1-02 or 39-06.1-03 must be as follows:

1. For a nonmoving violation as defined in section 39-06.1-08, a fee of twenty dollars except for a violation of any traffic parking regulation on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars, excluding a violation of subsection 11 of section 39-01-15.
2. For a moving violation as defined in section 39-06.1-09, a fee of twenty dollars, except for:
  - a. A violation of section 39-10-26, 39-10-26.2, 39-10-41, or 39-10-42, a fee of fifty dollars.
  - b. A violation of section 39-10-05 involving failure to yield to a pedestrian or subsection 1 of section 39-10-28, a fee of fifty dollars.
  - c. A violation of section 39-21-41.2, a fee of twenty-five dollars.
  - d. A violation of subsection 1 of section 39-12-02, section 39-08-23, or section 39-08-25, a fee of one hundred dollars.
  - e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars.
  - f. A violation of subsection 1 of section 39-04-37 by an individual by becoming a resident of this state, a fee of one hundred dollars.
  - g. A violation of subsection 2 of section 39-10-21.1, a fee of two hundred fifty dollars.
  - h. A violation of section 39-10-59, a fee of five hundred dollars.
  - i. A violation of section 39-09-01, a fee of thirty dollars.
  - j. A violation of section 39-09-01.1, a fee of thirty dollars.
  - k. A violation of section 39-10-46 or 39-10-46.1, a fee of one hundred dollars.
  - l. A violation of subsection 1 of section 39-08-20, one hundred fifty dollars for a first violation and three hundred dollars for a second or subsequent violation in three years.

- m. A violation of section 39-10-24 or 39-10-44, a fee of forty dollars.
- n. A violation of section 39-10-50.1, a fee of fifty dollars.
3. For a violation of section 39-21-44 or a rule adopted under that section, a fee of two hundred fifty dollars.
4. ~~Except as provided in subsections 5 and 7, for a violation of section 39-09-02, or an equivalent ordinance, a fee established as follows:~~

<del>_____ Miles per hour over</del>	<del>_____ lawful speed limit</del>	<del>_____ Fee</del>
<del>_____ 1 - 5</del>	<del>_____</del>	<del>_____ \$ 5</del>
<del>_____ 6 - 10</del>	<del>_____</del>	<del>_____ \$ 5 plus \$1/each mph over 5 mph over limit</del>
<del>_____ 11 - 15</del>	<del>_____</del>	<del>_____ \$ 10 plus \$1/each mph over 10 mph over limit</del>
<del>_____ 16 - 20</del>	<del>_____</del>	<del>_____ \$ 15 plus \$2/each mph over 15 mph over limit</del>
<del>_____ 21 - 25</del>	<del>_____</del>	<del>_____ \$ 25 plus \$3/each mph over 20 mph over limit</del>
<del>_____ 26 - 35</del>	<del>_____</del>	<del>_____ \$ 40 plus \$3/each mph over 25 mph over limit</del>
<del>_____ 36 - 45</del>	<del>_____</del>	<del>_____ \$ 70 plus \$3/each mph over 35 mph over limit</del>
<del>_____ 46 +</del>	<del>_____</del>	<del>_____ \$100 plus \$5/each mph over 45 mph over limit</del>

- ~~\_\_\_\_\_ 5. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour, for~~For a violation of section 39-09-02 on a highway, or an equivalent ordinance, a fee established as follows:

<del>_____ Miles per hour over</del>	<del>_____ lawful speed limit</del>	<del>_____ Fee</del>
<del>_____ 1 - 10</del>	<del>_____</del>	<del>_____ \$2/each mph over limit</del>
<del>_____ 11 +</del>	<del>_____</del>	<del>_____ \$20 plus \$5/each mph over 10 mph over limit</del>

- ~~6-5.~~ For a violation of subsection 3 of section 39-21-46, a fee established as follows:
- a. Driving more than eleven hours since the last ten hours off duty, driving after fourteen hours on duty since the last ten hours off duty, driving after sixty hours on duty in seven days or seventy hours in eight days, no record of duty status or log book in possession, failing to retain previous seven-day record of duty status or log book, or operating a vehicle with four to six out-of-service defects, one hundred dollars;
- b. False record of duty status or log book or operating a vehicle with seven to nine out-of-service defects, two hundred fifty dollars;

- c. Operating a vehicle after driver placed out of service, operating a vehicle with ten or more out-of-service defects, or operating a vehicle that has been placed out of service prior to its repair, five hundred dollars; and
- d. All other violations of motor carrier safety rules adopted under subsection 3 of section 39-21-46, fifty dollars.

~~7. On a highway on which the speed limit is posted in excess of sixty five miles [104.61 kilometers] an hour, for a violation of section 39-09-02, or equivalent ordinance, a fee of five dollars for each mile per hour over the limit.~~

- ~~8.6.~~ For a violation of a school zone speed limit under subdivision b of subsection 1 of section 39-09-02, a fee of forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit unless a greater fee would be applicable under this section.
- ~~9.7.~~ For a violation of a highway construction zone speed limit under subsection 2 of section 39-09-02, a fee of eighty dollars for one through ten miles per hour over the posted speed; and eighty dollars plus two dollars for each mile per hour over ten miles per hour over the limit, unless a greater fee would be applicable under this section. The fee in this subsection does not apply to a highway construction zone unless individuals engaged in construction are present at the time and place of the violation and the posted speed limit sign states "Minimum Fee \$80".

**SECTION 2. AMENDMENT.** Section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

**40-05-06. City fines and penalties limited.**

- 1. Except as provided in ~~subsections~~ subsection 2 and 3, the fine or penalty for the violation of any ordinance, resolution, or regulation of a city may not exceed one thousand five hundred dollars, and the imprisonment may not exceed thirty days for one offense.
- 2. ~~For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06.~~
- ~~3.~~ For every violation of a city ordinance enforcing the requirements of title 40, Code of Federal Regulations, section 403 relating to publicly owned treatment works, or prohibiting shoplifting, vandalism, criminal mischief, or malicious mischief, the penalty may not exceed a fine of one thousand five hundred dollars, imprisonment for thirty days, or both such fine and imprisonment.
- ~~4.3.~~ This section does not prohibit the use of the sentencing alternatives, other than a fine or imprisonment, provided by section 12.1-32-02 for the violation of a city ordinance, nor does this section limit the use of deferred or suspended sentences under subsections 3 and 4 of section 12.1-32-02.

**SECTION 3. AMENDMENT.** Section 40-11-12 of the North Dakota Century Code is amended and reenacted as follows:

**40-11-12. Commitment of guilty person for nonpayment of fines or costs.**

Any person upon whom any fine or costs, or both, has been imposed for violation of a municipal ordinance may, after hearing, be committed upon order of the

court to jail or other place provided by the municipality for the incarceration of offenders until the fine or costs, or both, are fully paid or discharged by labor as provided in section 40-18-12. The court may not commit a person under this section when the sole reason for the person's nonpayment of fines or costs, or both, is the person's indigency. An order of commitment under this section shall not be for a period in excess of thirty days. ~~As used in this section, "fine" does not include a fee established pursuant to subsection 2 of section 40-05-06."~~

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1285: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1285 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1373: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1373 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "seven" with "nine business"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1411: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1411 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike the colon

Page 1, line 10, overstrike "1."

Page 1, line 10, replace "At" with "at"

Page 1, line 13, overstrike "attacking"

Page 1, line 14, overstrike the first "and"

Page 1, line 14, overstrike "; and"

Page 1, overstrike lines 15 and 16

Page 1, line 17, overstrike "raccoon, or beaver during the open season on"

Page 1, line 17, remove "at any time of day or night on any date"

Page 1, line 18, remove "on which a firearm legally may be used to hunt or take"

Page 1, line 18, overstrike "the animal. The artificial light"

Page 1, overstrike line 19

Page 1, line 20, overstrike "raccoon, or beaver, except when taking a raccoon treed or at bay"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1462: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1462 was placed on



the Sixth order on the calendar.

Page 2, line 4, remove "may not sell more than three state fleet vehicles to any"

Page 2, line 5, replace "one person" with "shall collect a fee of fifty dollars from a nonresident for each state fleet vehicle purchased by the nonresident"

Renumber accordingly

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Rep. M. Nelson introduced:

**HCR 3030:** A concurrent resolution directing the Legislative Management to consider studying metabolic syndrome and its associated costs, trends, and causes, including proposals for reducing the prevalence and the associated costs through public policy and initiatives.

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

Reps. M. Nelson, P. Anderson, Boschee introduced:

**HCR 3031:** A concurrent resolution to create and enact a new section to article I of the Constitution of North Dakota, relating to the legalization of cannabis; and to provide an effective date.

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

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

**Buell J. Reich, Chief Clerk**

