

JOURNAL OF THE HOUSE**Sixty-eighth Legislative Assembly**

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Bismarck, January 24, 2023

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

The prayer was offered by Sister Kathleen Atkinson, Ministry on the Margins, Bismarck.

The roll was called and all members were present except Representative Finley-DeVille.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to HB 1088 and HB 1302.

HB 1088 and HB 1302, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. BOSCH MOVED that HB 1319 be returned to the House floor from the **Political Subdivisions Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. KASPER REQUESTED the unanimous consent of the House to withdraw HB 1319. There being no objection, it was so ordered by the Speaker.

MOTION

REP. BOSCH MOVED that HB 1368 be returned to the House floor from the **Industry, Business and Labor Committee** and be referred to the **Government and Veterans Affairs Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1368 was rereferred.

SECOND READING OF HOUSE BILL

HB 1257: A BILL for an Act to amend and reenact sections 15.1-09-08, 16.1-08.1-02.3, and 16.1-08.1-05 of the North Dakota Century Code, relating to campaign contribution statements for candidates seeking a school district office.

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 72 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, K.; Bahl; Bellew; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hauck; Headland; Heilman; Heinert; Henderson; Hoverson; Ista; Johnson, J.; Jonas; Kasper; Kempenich; Klemin; Koppelman; Kreidt; Louser; Marschall; Meier; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Olson, S.; Ostlie; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Satrom; Schauer; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Timmons; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Weisz

NAYS: Anderson, B.; Beltz; Hatlestad; Holle; Karls; Kiefert; Lefor; Longmuir; Martinson; McLeod; Motschenbacher; Novak; Porter; Sanford; Schatz; Schobinger; Thomas; Toman; Warrey; Speaker Johnson, D.

ABSENT AND NOT VOTING: Fegley; Finley-DeVille

HB 1257 passed.

SECOND READING OF HOUSE BILL

HB 1237: A BILL for an Act to amend and reenact section 57-15-41 of the North Dakota Century Code, relating to the exemption of infrastructure fees from levy limitations.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Toman; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Heilman; Henderson; Hoverson; Kasper; Koppelman; Marschall; Monson; Olson, S.; Prichard; Rohr; Ruby, D.; Schatz; Steiner; Timmons; Tveit

ABSENT AND NOT VOTING: Finley-DeVille

HB 1237 passed.

SECOND READING OF HOUSE BILL

HB 1197: A BILL for an Act to amend and reenact section 46-05-01 of the North Dakota Century Code, relating to publication of legal notices by newspapers.

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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

HB 1197 passed.

SECOND READING OF HOUSE BILL

HB 1354: A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to designating the overpass on United States highway 281 as the hidden wounds veterans overpass; and to provide a continuing appropriation.

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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelch; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

HB 1354 passed.

SECOND READING OF HOUSE BILL

HB 1181: A BILL for an Act to amend and reenact subsection 5 of section 39-12-02 of the North Dakota Century Code, relating to special permits for vehicles of excessive size; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelch; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

HB 1181 passed.

SECOND READING OF HOUSE BILL

HB 1351: A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to designating the bridge on state highway 1806 as the PVT. Albert Grass WWI bridge; and to provide a continuing appropriation.

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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelch; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.;

Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

HB 1351 passed.

SECOND READING OF HOUSE BILL

HB 1243: A BILL for an Act to amend and reenact sections 32-03.1-01, 32-03.1-02, and 32-03.1-02.2 of the North Dakota Century Code, relating to the Good Samaritan Act, actions barred, and immunity for persons offering wholesome food or grocery product.

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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelch; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

HB 1243 passed.

SECOND READING OF HOUSE BILL

HB 1090: A BILL for an Act to amend and reenact section 23.1-08-04 and subsection 2 of section 23.1-08-08 of the North Dakota Century Code, relating to coal combustion residuals and disposal of wind turbine blades; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelch; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

Engrossed HB 1090 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1077: A BILL for an Act to create and enact a new section to chapter 61-04 of the North Dakota Century Code, relating to water storage contracts.

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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelch; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

Engrossed HB 1077 passed.

SECOND READING OF HOUSE BILL

HB 1222: A BILL for an Act to amend and reenact section 37-19.1-01 and subsection 1 of section 37-19.1-02 of the North Dakota Century Code, relating to the definition of a veteran and required documentation when claiming veterans' preference for employment.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelch; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Schobinger

ABSENT AND NOT VOTING: Finley-DeVille

Engrossed HB 1222 passed.

SECOND READING OF HOUSE BILL

HB 1179: A BILL for an Act to create and enact a new section to chapter 54-27 of the North Dakota Century Code, relating to the growth of the state budget.

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 21 YEAS, 72 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bellew; Christensen; Dyk; Fisher; Frelich; Heilman; Henderson; Holle; Hoverson; Kasper; Koppelman; Marschall; Novak; Olson, S.; Prichard; Schatz; Timmons; Toman; Tveit; VanWinkle

NAYS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

HB 1179 failed.

SECOND READING OF HOUSE BILL

HB 1244: A BILL for an Act to amend and reenact section 57-38-01.16 of the North Dakota Century Code, relating to the income tax credit for employment of individuals with developmental disabilities or severe mental illness; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

HB 1244 passed.

SECOND READING OF HOUSE BILL

HB 1248: A BILL for an Act to provide for a legislative management study of restructuring the taxation of residential and commercial property.

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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille

HB 1248 passed.

SECOND READING OF HOUSE BILL

HB 1267: A BILL for an Act to amend and reenact section 57-28-20 of the North Dakota Century Code, relating to the disposition of proceeds from tax lien foreclosures.

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 52 YEAS, 41 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Bosch; Boschee; Brandenburg; Dakane; Davis; Dobervich; Dockter; Fegley; Fisher; Grueneich; Hager; Hagert; Hatlestad; Hauck; Headland; Heinert; Ista; Jonas; Karls; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Mitskog; Mock; Monson; Nathe; Nelson; O'Brien; Olson, J.; Porter; Pyle; Roers Jones; Sanford; Schauer; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; VanWinkle; Wagner; Warrey; Speaker Johnson, D.

NAYS: Bahl; Bellew; Christensen; Christy; Conmy; Cory; Dyk; Frelich; Hanson; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Marschall; Meier; Motschenbacher; Murphy; Novak; Olson, S.; Ostlie; Prichard; Richter; Rios; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schobinger; Timmons; Toman; Tveit; Vetter; Vigesaa; Weisz

ABSENT AND NOT VOTING: Finley-DeVille

HB 1267 passed.

SECOND READING OF HOUSE BILL

HB 1343: A BILL for an Act to create and enact a new subsection to section 57-38-01.21 of the North Dakota Century Code, relating to limiting tax credits for charitable gifts; 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 5 YEAS, 87 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Christensen; Heilman; Hoverson; Koppelman; Marschall

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck;

Headland; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille; Steiner

HB 1343 failed.

SECOND READING OF HOUSE BILL

HB 1380: A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to a senior citizens property tax credit for an owner who is age sixty-five or older; to amend and reenact subsection 7 of section 15.1-27-04.1 of the North Dakota Century Code, relating to determination of state school aid; to provide an appropriation; 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 25 YEAS, 67 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bahl; Bellew; Boschee; Christensen; Dakane; Davis; Dyk; Hager; Heilman; Henderson; Holle; Hoverson; Kasper; Koppelman; Kreidt; Marschall; Olson, S.; Prichard; Rios; Rohr; Ruby, M.; Schatz; Schneider; Timmons; VanWinkle

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Bosch; Brandenburg; Christy; Conmy; Cory; Dobervich; Dockter; Fegley; Fisher; Frelich; Grueneich; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Sanford; Satrom; Schauer; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Finley-DeVille; Steiner

HB 1380 failed.

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

MADAM PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1096, HB 1116, HB 1159, HB 1161, HB 1193, HB 1223, HB 1226, HB 1236, HB 1294, HB 1322, HCR 3004.

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

MADAM PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1160.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2096, SB 2168, SB 2180, SB 2189, SB 2191, SB 2193, SB 2196.

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 2145.

MOTION

REP. BOSCH MOVED that the absent member be excused, which motion prevailed.

MOTION

REP. BOSCH 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., Wednesday, January 25, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1103: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1103 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "provide an appropriation to the department of transportation for federal"

Page 1, line 2, replace "match funds from the infrastructure revolving loan fund" with "amend and reenact section 10 of chapter 80 of the 2021 Session Laws, relating to a department of transportation appropriation; to provide for a transfer"

Page 1, replace lines 4 through 16 with:

"SECTION 1. AMENDMENT. Section 10 of chapter 80 of the 2021 Session Laws is amended and reenacted as follows:

SECTION 10. APPROPRIATION - HIGHWAY FUND - CONTINGENT TRANSFER EXEMPTION. There is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$70,000,000, or so much of the sum as may be necessary, derived from bond proceeds to the department of transportation for state highway and state highway bridge projects and for matching federal funds that may become available, for the biennium beginning July 1, 2021, and ending June 30, 2023. ~~Of the \$70,000,000, \$35,000,000 is designated for state highway bridge projects, and \$35,000,000 is designated for matching federal funds that may become available for state highway projects in excess of the federal funds appropriated to the department of transportation as part of its 2021-23 biennial budget. By October 1, 2022, the director of the department of transportation shall certify to the office of management and budget the amount of funding committed to matching excess federal funds from the \$35,000,000 provided under this section. If the amount committed is less than \$35,000,000, the office of management and budget shall transfer any uncommitted amounts to the infrastructure revolving loan fund under section 6-09-49.~~ The appropriation provided in this section is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 2. TRANSFER. The office of management and budget shall transfer any remaining bond proceeds designated for deposit in the highway fund pursuant to section 7 of chapter 80 of the 2021 Session Laws to the highway fund during the period beginning with the effective date of this Act and ending June 30, 2023."

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1216: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1216 was placed on the Sixth order on the calendar.

Page 1, line 18, remove the overstrike over "'Primary sector business" has the meaning provided in section 1-01-49 and includes"

Page 1, remove the overstrike over line 19

Page 1, line 20, remove the overstrike over "5."

Page 2, line 8, remove the overstrike over "~~primary sector~~"

Page 2, line 10, remove the overstrike over "~~in order~~"

Page 2, line 11, remove the overstrike over "~~primary sector~~"

Page 2, line 21, remove the overstrike over "~~primary sector~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1229: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1229 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1246: 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 1246 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to declare an emergency"

Page 2, line 1, replace "device" with "signal"

Page 2, line 1, after "within" insert "the corporate limits of a city and within"

Page 2, line 2, after "a" insert "public or nonpublic elementary, middle, or high"

Page 2, line 2, remove "or licensed day care"

Page 2, line 2, remove "the consent"

Page 2, line 3, replace the first "of" with "consulting with"

Page 2, line 3, replace "political subdivision" with "city"

Page 2, line 4, replace "device" with "signal"

Page 2, line 4, after "for" insert "temporary"

Page 2, remove line 5

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1247: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1247 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding the impact of a property tax exemption for agricultural products storage.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - PROPERTY TAX EXEMPTION FOR AGRICULTURAL PRODUCTS STORAGE. During the 2023-24 interim, the legislative management shall study the provision of a property tax exemption for elevators, warehouses, and other farm structures classified as commercial property, which are privately owned and used to store agricultural products produced by the owner or an individual related to the owner as defined in

section 10-06.1-12. The study must include consideration of the potential shift in property tax burden if the exemption were to be enacted, the definitions of agricultural property and farm plant as used in subsection 15 of section 57-02-08, and the impact of abandoned elevators, potato warehouses, and other farm structures classified as commercial property on the political subdivisions in which they are located, including the cost of refurbishment or removal. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1277: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1277 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1289: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1289 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1333: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1333 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "go-go dancers."

Page 1, line 11, after the second underscored comma insert "or"

Page 1, line 12, remove "or similar entertainers."

Page 1, line 18, replace "within the line of vision" with "in the presence"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1352: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1352 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "twenty-third street northeast and twenty-fourth street northeast in Harvey" with "the west junction of thirty-sixth avenue northeast and the east junction of thirty-sixth avenue northeast"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1355: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1355 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "in Solen" with "near Breien"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1370: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1370 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 3, after "date" insert "; and to provide an expiration date"

Page 1, line 11, after "**DATE**" insert "**- EXPIRATION DATE**"

Page 1, line 12, after "2023" insert ", and before July 1, 2025, and is thereafter ineffective"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1378: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1378 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk