

JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, February 13, 2023

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

The prayer was offered by Pastor Kai Hardee, Gateway Community Fellowship, Bismarck.

The roll was called and all members were present except Representatives Bellew, Christy, Dockter, Roers Jones, and Wagner.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 593, line 32, replace "19" with "21"

Page 593, line 33, replace "YEAS, 0 NAYS, 4" with "YEAS, 0 NAYS, 2"

REP. B. ANDERSON MOVED that the report be adopted, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1045, HB 1207, HB 1406, HB 1434, HB 1492, HB 1502, HB 1505, and HCR 3010, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1407, which is on the Eleventh order, be laid over three legislative days, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1337, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to Engrossed HB 1168, HB 1184, HB 1200, HB 1293, HB 1328, HB 1330, HB 1393, HB 1413, HB 1432, HB 1448, HB 1452, and HB 1465.

Engrossed HB 1168, HB 1184, HB 1200, HB 1293, HB 1328, HB 1330, HB 1393, HB 1413, HB 1432, HB 1448, HB 1452, and HB 1465, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

HB 1253: REP. CHRISTENSEN (Transportation Committee) MOVED that the amendments on HJ page 547 be adopted and then be placed on the Eleventh order with **DO NOT PASS**.

REQUEST

REP. KLEMIN REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1253, the roll was called and there were 42 YEAS, 48 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Bosch; Brandenburg; Christensen;

Frelich; Grueneich; Hagert; Headland; Heilman; Henderson; Holle; Hoverson; Kempenich; Kiefert; Koppelman; Marschall; Monson; Motschenbacher; Murphy; Nelson; O'Brien; Olson, S.; Prichard; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schobinger; Stemen; Thomas; Timmons; Tveit; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bahl; Boschee; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; Fisher; Hager; Hanson; Hatlestad; Hauck; Heinert; Ista; Johnson, J.; Jonas; Karls; Kasper; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Nathe; Novak; Olson, J.; Ostlie; Porter; Richter; Rios; Satrom; Schauer; Schneider; Schreiber-Beck; Steiner; Strinden; Swiontek; Toman; VanWinkle; Vetter

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

The proposed amendments to HB 1253 failed on a recorded roll call vote.

MOTION

REP. BOSCH MOVED that Rule 601(3a) be suspended and HB 1253 be placed on the Eleventh order immediately for final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1253: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to the amount of statutory fees for traffic offenses; to amend and reenact section 39-21-44.1 of the North Dakota Century Code, relating to transportation of aggregate material; 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 24 YEAS, 66 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bahl; Boschee; Conmy; Cory; Davis; Finley-DeVillie; Hager; Hanson; Karls; Kasper; Klemin; Lefor; Longmuir; McLeod; Mock; Nathe; Ostlie; Richter; Rios; Roers Jones; Schauer; Schneider; Steiner; Vetter

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Bosch; Brandenburg; Christensen; Dakane; Dobervich; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Kempenich; Kiefert; Koppelman; Kreidt; Louser; Marschall; Martinson; Meier; Mitskog; Monson; Motschenbacher; Murphy; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Porter; Prichard; Pyle; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

HB 1253 failed.

SECOND READING OF HOUSE BILL

HB 1386: A BILL for an Act to create and enact a new section to chapter 15.1-18.2 of the North Dakota Century Code, relating to local boards of school districts' discretion to designate educational professional development content areas; and to amend and reenact section 15.1-07-34 of the North Dakota Century Code, relating to youth behavioral health professional development.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee;

Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; 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; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1386 passed.

SECOND READING OF HOUSE BILL

HB 1494: A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school meal policies.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Fegley; Finley-DeVillie; 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; Warrey; Weisz; Speaker Johnson, D.

NAYS: Dyk

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1494 passed.

SECOND READING OF HOUSE BILL

HB 1521: A BILL for an Act to amend and reenact section 15.1-07-35 of the North Dakota Century Code, relating to alternative curriculum outside of a classroom.

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, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; 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;

Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Anderson, K.; Bellew; Christy; Dockter; Wagner

Engrossed HB 1521 passed.

SECOND READING OF HOUSE BILL

HB 1288: A BILL for an Act to create and enact a new section to chapter 54-21 of the North Dakota Century Code, relating to state entities contracting for property management services; and to amend and reenact section 54-21-24.1 of the North Dakota Century Code, relating to the lease of additional space by state agencies.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; 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; Warrey; Weisz; Speaker Johnson, D.

NAYS: Grueneich; Heinert; Karls

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1288 passed.

SECOND READING OF HOUSE BILL

HB 1411: A BILL for an Act to create and enact section 54-52.1-04.18 of the North Dakota Century Code, relating to public employees retirement system health benefits coverage of prosthetic devices; to provide a statement of legislative intent; to provide for application; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; 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; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1411 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1006: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota aeronautics commission.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; 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, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Tveit; VanWinkle; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Fegley; Henderson; Ruby, D.; Toman

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1006 passed.

SECOND READING OF HOUSE BILL

HB 1008: A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions; and to provide an exemption.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; 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; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Tveit; VanWinkle; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Hoverson; Schatz; Toman

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1008 passed.

SECOND READING OF HOUSE BILL

HB 1009: A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 1 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVille; 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; Tveit; VanWinkle; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Toman

ABSENT AND NOT VOTING: Bellew; Bosch; Christy; Dockter; Wagner

Engrossed HB 1009 passed.

SECOND READING OF HOUSE BILL

HB 1017: A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVille; 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; Tveit; VanWinkle; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Toman; Vetter

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1017 passed.

SECOND READING OF HOUSE BILL

HB 1022: A BILL for an Act to provide an appropriation for defraying the expenses of the commission on legal counsel for indigents.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley;

Finley-DeVille; 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; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Tveit; VanWinkle; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Schatz; Toman

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1022 passed.

SECOND READING OF HOUSE BILL

HB 1023: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota racing commission; and to provide for a legislative management report.

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 76 YEAS, 14 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVille; Fisher; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; 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; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, K.; Frelich; Hauck; Heilman; Henderson; Porter; Prichard; Rios; Ruby, D.; Schatz; Toman; Tveit; VanWinkle; Vetter

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1023 passed.

SECOND READING OF HOUSE BILL

HB 1005: A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; 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; 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; Warrey; Weisz; Speaker Johnson, D.

NAYS: Dyk; Heilman; Prichard

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1005 passed.

SECOND READING OF HOUSE BILL

HB 1242: A BILL for an Act to amend and reenact subsection 2 of section 57-40.6-02 of the North Dakota Century Code, relating to the statewide interoperable radio network; to repeal section 6 of chapter 293 of the 2019 Session Laws, relating to a line of credit authorized for the statewide interoperable radio network project; to provide an appropriation; to provide for a transfer; to provide for a legislative management study; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; 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; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1242 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1002: A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to amend and reenact sections 27-02-02, 27-05-03, and 27-09.1-14 of the North Dakota Century Code, relating to the salaries of justices of the supreme court, the salaries of district court judges, and compensation of jurors; to provide for transfers; and to provide an exemption.

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 69 YEAS, 21 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Finley-DeVillie; Fisher; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Pyle; Richter; Rios; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Tveit; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Brandenburg; Dyk; Fegley; Frelich; Grueneich; Heilman; Henderson; Holle; Hoverson; Kempenich; McLeod; Meier; Motschenbacher; Porter; Prichard; Ruby, D.; Ruby, M.; Schatz; Toman; VanWinkle; Vetter

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1002 passed.

SECOND READING OF HOUSE BILL

HB 1225: A BILL for an Act to provide an appropriation to the tax commissioner for the development of an online portal for electronically accessible statewide property information and property tax information.

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 48 YEAS, 42 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, K.; Bahl; Bosch; Boschee; Christensen; Conmy; Cory; Davis; Dobervich; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Hager; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Kasper; Klemin; Koppelman; Louser; Marschall; Mock; Motschenbacher; Murphy; Nelson; Novak; Olson, S.; Prichard; Rios; Roers Jones; Ruby, D.; Ruby, M.; Schatz; Schauer; Schneider; Schobinger; Steiner; VanWinkle; Vetter

NAYS: Anderson, B.; Beltz; Brandenburg; Dakane; Grueneich; Hagert; Hanson; Hatlestad; Heinert; Karls; Kempenich; Kiefert; Kreidt; Lefor; Longmuir; Martinson; McLeod; Meier; Mitskog; Monson; Nathe; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Rohr; Sanford; Satrom; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vigasaa; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

HB 1225 passed.

SECOND READING OF HOUSE BILL

HB 1204: A BILL for an Act to create and enact a new section to chapter 16.1-11 of the North Dakota Century Code, relating to requiring a candidate for the legislative district office of state representative to designate for which position the candidate is running; and to amend and reenact section 16.1-11-10 and subsection 2 of section 16.1-11-26 of the North Dakota Century Code, relating to placing an applicant's name on the ballot and the order of offices on the ballot.

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 9 YEAS, 81 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Boschee; Conmy; Hoverson; Ista; Mitskog; Mock; Roers Jones; VanWinkle; Vetter

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

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

HB 1204 failed.

SECOND READING OF HOUSE BILL

HB 1422: A BILL for an Act to create and enact sections 11-33-17.1, 40-47-05.1, and 58-03-14.1 of the North Dakota Century Code, relating to nonconforming structures in counties, cities, and townships.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVilleville; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; 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; Vigasaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Johnson, J.

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1422 passed.

SECOND READING OF HOUSE BILL

HB 1445: A BILL for an Act to amend and reenact subsection 3 of section 53-06.1-11 of the North Dakota Century Code, relating to the treatment of cash shorts and interest and penalties incurred in gaming.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 55 YEAS, 35 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bahl; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Finley-DeVilleville; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Holle; Ista; Jonas; Kasper; Kempenich; Kiefert; Koppelman; Kreidt; Lefor; Louser; Marschall; Meier; Mitskog; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schreiber-Beck; Stemen; Swiontek; Toman; Vetter; Speaker Johnson, D.

NAYS: Anderson, B.; Anderson, D.; Beltz; Bosch; Christensen; Dyk; Fegley; Fisher; Hager; Hanson; Heinert; Henderson; Hoverson; Johnson, J.; Karls; Klemin; Longmuir; Martinson; McLeod; Mock; Pyle; Richter; Rios; Roers Jones; Rohr; Schobinger; Steiner; Strinden; Thomas; Timmons; Tveit; VanWinkle; Vigasaa; Warrey; Weisz

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

Engrossed HB 1445 passed.

SECOND READING OF HOUSE BILL

HB 1364: A BILL for an Act to amend and reenact section 42-03-01 of the North Dakota Century Code, relating to dogs as a public nuisance.

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 56 YEAS, 34 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; Fisher; Grueneich; Hanson; Hatlestad; Headland; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kempenich; Klemin; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Monson; Nathe; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Strinden; Swiontek; Thomas; VanWinkle

NAYS: Christensen; Conmy; Frelich; Hager; Hagert; Hauck; Heilman; Ista; Kasper; Kiefert; Koppelman; Kreidt; Marschall; Mock; Motschenbacher; Murphy; Nelson; Pyle; Richter; Rios; Roers Jones; Rohr; Schobinger; Schreiber-Beck; Steiner; Stemen; Timmons; Toman; Tveit; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

HB 1364 passed.

SECOND READING OF HOUSE BILL

HB 1358: A BILL for an Act to amend and reenact subsection 1 of section 23.1-01-02 of the North Dakota Century Code, relating to the composition of the environmental review advisory council.

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 47 YEAS, 43 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Beltz; Boschee; Conmy; Cory; Dakane; Davis; Dobervich; Fegley; Finley-DeVillie; Hager; Hagert; Hanson; Hatlestad; Hauck; Ista; Johnson, J.; Jonas; Karls; Kreidt; Lefor; Louser; Meier; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; O'Brien; Ostlie; Porter; Richter; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, B.; Anderson, K.; Bahl; Bosch; Brandenburg; Christensen; Dyk; Fisher; Frelich; Grueneich; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Longmuir; Marschall; Martinson; McLeod; Motschenbacher; Novak; Olson, J.; Olson, S.; Prichard; Pyle; Rios; Roers Jones; Rohr; Ruby, D.; Schatz; Schobinger; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

HB 1358 failed.

SECOND READING OF HOUSE BILL

HB 1414: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to a resident family member small game license.

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

YEAS: Dobervich; Hoverson; Karls; Satrom; Steiner

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; 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; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

HB 1414 failed.

SECOND READING OF HOUSE BILL

HB 1233: A BILL for an Act to amend and reenact subsection 1 of section 20.1-03-11 of the North Dakota Century Code, relating to youth white-tailed antlerless deer permits.

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 87 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; 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; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

NAYS: Hager; Hoverson; VanWinkle

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

HB 1233 passed.

SECOND READING OF HOUSE BILL

HB 1466: A BILL for an Act to amend and reenact section 32-15-32 of the North Dakota Century Code, relating to costs to landowners in eminent domain adjudicative proceedings.

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 7 YEAS, 83 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Boschee; Henderson; Holle; Hoverson; Olson, S.; Ruby, M.; VanWinkle

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; 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.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

HB 1466 failed.

SECOND READING OF HOUSE BILL

HB 1520: A BILL for an Act to create and enact a new subsection to section 38-08-04 and sections 38-08-06.5 and 38-08-06.6 of the North Dakota Century Code, relating to jurisdiction of the industrial commission and payment for production from wells; to amend and reenact sections 38-08-02, 38-08-06.3, 47-16-39.1, 47-16-39.2, and 47-16-39.4 of the North Dakota Century Code, relating to royalties; 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 10 YEAS, 80 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Boschee; Hatlestad; Henderson; Kempenich; Longmuir; Richter; Rios; Steiner; Timmons

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

ABSENT AND NOT VOTING: Bellew; Christy; Dockter; Wagner

HB 1520 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 1070, HB 1111, HB 1190, HB 1235, HB 1270, HB 1312, HB 1318, HB 1402, HB 1430, HB 1463, HB 1499, HB 1506, HB 1517.

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 1185, HB 1493.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2032, SB 2063, SB 2132, SB 2156, SB 2198, SB 2231, SB 2260, SB 2273, SB 2351, SB 2352, SB 2353, SB 2366, SB 2388.

MOTION

REP. BOSCH MOVED that the absent members 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., Tuesday, February 14, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1108: 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 1108 was placed on the Sixth order on the calendar.

Page 1, line 8, replace the first underscored comma with "or"

Page 1, line 8, remove "or order of the federal government."

Page 1, line 9, replace "in" with "on"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1134: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1134 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 subdivision c of subsection 12 of section 20.1-02-05 of the North Dakota Century Code, relating to hunting and fishing license for national guard members.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subdivision c of subsection 12 of section 20.1-02-05 of the North Dakota Century Code is amended and reenacted as follows:

- c. An individual who is a member of the United States armed forces and who is within the state on duty or leave or nonresident current North Dakota national guard member.

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1166: Agriculture Committee (Rep. Thomas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1166 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 61-04.1 of the North Dakota Century Code, relating to requirements to cease cloud seeding; to"

Page 1, line 1, replace "section" with "subsection 10 of section 61-04.1-03, section 61-04.1-23, subsection 3 of section 61-04.1-24, and sections 61-04.1-26, 61-04.1-27, 61-04.1-30, 61-04.1-38, and"

Page 1, line 2, after "operations" insert "and a prohibition on the use of state funds for weather modification; and to provide a penalty"

Page 1, after line 3, insert:

"SECTION 1. A new section to chapter 61-04.1 of the North Dakota Century Code is created and enacted as follows:

Cloud seeding operations - Requirement to cease.

A weather modification authority conducting cloud seeding on a storm must cease cloud seeding on the storm when the radar reflectivity core of a seeded storm exiting the county operations area crosses the boundary of a township that borders a township of an adjacent county that does not have an active weather modification authority conducting weather modification under this chapter.

SECTION 2. AMENDMENT. Subsection 10 of section 61-04.1-03 of the North Dakota Century Code is amended and reenacted as follows:

10. "Weather modification authority" means the governing body created or extended by a board of county commissioners under section 61-04.1-22.1, 61-04.1-23, 61-04.1-27, 61-04.1-29, or 61-04.1-31.

SECTION 3. AMENDMENT. Section 61-04.1-23 of the North Dakota Century Code is amended and reenacted as follows:

61-04.1-23. Weather modification authority created by petition.

1. A weather modification authority ~~shall~~must be created by resolution and five commissioners appointed ~~thereto to the authority~~ for ten-year terms of office, by the board of county commissioners. A board of county commissioners ~~shall~~may not adopt a resolution creating an authority until ~~the board~~ has received a valid petition signed by at least fifty-one percent of the qualified electors of a county, as determined by the vote cast for the office of governor at the last preceding general election. The board of county commissioners shall appoint five residents of the county as weather modification authority commissioners from those names set forth in the petition and designated by the petitioners to be appointed weather modification authority commissioners. ~~In the event~~ if any one of the five candidates named in the petition to be appointed as a weather modification authority commissioner is unable or refuses for any reason to accept appointment as a commissioner, or is disqualified by not meeting residence requirements, as a qualified elector in the county, the board of county commissioners shall name its own appointee for a ten-year term of office in place of any disqualified candidate selected by the petitioners. If any weather modification authority commissioner submits a resignation in writing to the board of county commissioners or becomes unable to serve or disqualified for any reason, after accepting office, the board of county commissioners shall name its appointee as a commissioner to the weather modification authority. All vacancies occurring otherwise than by expiration of term of office ~~shall~~must be filled for the unexpired term.
2. Any weather modification authority created pursuant to this section ~~shall expire~~expires ten years after the date of the initial appointment of the commissioners ~~thereto to the authority~~. Any unexpended funds remaining in the name of the weather modification authority, after all proper bills and expenses have been paid, ~~shall~~must be transferred into the county general fund by the officers of the weather modification authority on or before the ten-year termination date provided by this section. However, all unexpended funds remaining in the name of the weather modification authority, after all proper bills and expenses have been paid, ~~shall~~must remain in the name of the weather modification authority if the board of county commissioners of such county by resolution ~~creates~~extends a weather modification authority and all its powers in accordance with section 61-04.1-27.
3. Nothing in this section ~~shall prevent~~prevents continuation or reinstatement of a weather modification authority, provided the authority is renewed for another ten years by petition of the qualified electors in the same manner as the initial weather modification authority was created by petition of qualified electors as provided for in this chapter.

4. In the event more than one petition is filed with the board of county commissioners on or about the same time, the petition with the highest percentage of the qualified electors of the county voting for the office of governor at the last preceding general election ~~shall~~must be selected by the board of county commissioners. However, the petition with the highest percentage must have the signatures of at least forty percent of the qualified electors in the county and the sum total of all qualified electors signing all petitions filed must equal at least sixty percent of the qualified electors in the county. ~~In no case shall the~~The name of the same qualified elector may not appear on two or more petitions, ~~but in such event,~~ If the name shall of the same qualified elector appears on two or more petitions, the name must be stricken from both petitions.

SECTION 4. AMENDMENT. Subsection 3 of section 61-04.1-24 of the North Dakota Century Code is amended and reenacted as follows:

3. The following paragraph: We, the undersigned qualified electors of the (name of county), state of North Dakota, are notified hereby that the creation of the (name of county) weather modification authority and the appointment of its commissioners by the (name of county) board of county commissioners will grant unto the authority by law the power to certify to the board of county commissioners a mill levy tax not to exceed seven mills upon the taxable valuation of property in said county for a weather modification fund, which tax may be levied in excess of the mill levy limit fixed by law for taxes for general county purposes and that such fund shall be used for weather modification activities ~~in conjunction under contract~~ with the state of North Dakota. We, the undersigned, understand that the authority requested in this petition expires ten years after the creation of the weather modification authority, except that the board of county commissioners may by resolution ~~create~~extend a weather modification authority and all its powers, including the power to certify a tax levy as provided by section 61-04.1-26, for five-year periods in accordance with section 61-04.1-27.

SECTION 5. AMENDMENT. Section 61-04.1-26 of the North Dakota Century Code is amended and reenacted as follows:

61-04.1-26. Funding for support of weather modification authority.

The weather modification authority may request annually that the board of county commissioners provide funding from revenues derived from its general fund levy for support of the authority and to provide weather modification services. In the year for which the levy is sought, the weather modification authority seeking approval of a property tax levy under this chapter must file with the county auditor, at a time and in a format prescribed by the county auditor, a financial report for the preceding calendar year showing the ending balances of each fund held by the authority during that year. The funding under this section approved by the board of county commissioners must be deposited in the weather modification fund and shall be used only for weather modification activities ~~in conjunction under contract~~ with the state of North Dakota.

SECTION 6. AMENDMENT. Section 61-04.1-27 of the North Dakota Century Code is amended and reenacted as follows:

61-04.1-27. ~~Creation~~Extension of weather modification authority and its powers by resolution.

1. When a weather modification authority is about to expire, the board of county commissioners of ~~any such~~ a county ~~may~~ shall by resolution place on the ballot, at the next countywide election, the question of whether the board of county commissioners shall authorize the ~~creation~~extension of such the existing weather modification authority and all its powers, including the power to certify a tax levy as provided by section 61-04.1-26, for additional five-year periods; provided, the If the majority of the votes cast on the question are in favor of the measure, the weather modification authority is extended for an additional five-year period.
2. ~~The resolution authorizing the ~~creation~~extension of such the weather modification authority is~~ must be adopted by the board of county commissioners before the expiration date prescribed in the preceding resolution for its termination.
3. Upon passing ~~such~~ a resolution for the ~~creation~~extension of the authority, the board of county commissioners shall appoint five weather modification authority commissioners to five-year terms of office, subsequently filling vacancies in the manner prescribed by section 61-04.1-23. The board of county commissioners may remove any weather modification commissioner from office whenever it appears, by competent evidence and after hearing, that the commissioner has been guilty of misconduct, malfeasance, crime in office, neglect of duty in office, or of habitual drunkenness or gross incompetency.

SECTION 7. AMENDMENT. Section 61-04.1-30 of the North Dakota Century Code is amended and reenacted as follows:

61-04.1-30. Abolishment of weather modification authority by election.

When a petition signed by not less than twenty percent of the qualified electors of the county, as determined by the vote cast for governor in the last preceding gubernatorial election, requesting an election upon the abolishment of a weather modification authority as ~~created~~extended in ~~section~~section 61-04.1-27 and created in section 61-04.1-29 is presented to the board of county commissioners, not later than sixty days ~~prior to~~before the next countywide election, the board of county commissioners shall submit the question to the qualified electors of the county at the next countywide election. Upon approval by a majority of the votes cast on the question, the board of county commissioners shall abolish the weather modification authority as of December thirty-first following the election. All unexpended funds remaining in the name of the weather modification authority, after all proper bills and expenses have been paid, ~~shall~~ must be deposited in the general fund of the county.

SECTION 8. AMENDMENT. Section 61-04.1-38 of the North Dakota Century Code is amended and reenacted as follows:

61-04.1-38. Board may receive and expend funds.

The board may receive and accept in the name of the state any funds that are offered or become available from any federal grant or appropriation, private gift, donation, or bequest, county funds, or funds from any other source except license and permit fees, and to expend these funds for the expense of administering this chapter, and, with the exception of county funds and funds from any other person contracting with the board for weather modification operations, for the encouragement of research and development in weather modification by any private person, the North Dakota state university, the university of North Dakota, or any other appropriate state, county, or public agency in this state by direct grant, contract, or other means.

All federal grants, federal appropriations, private gifts, donations, or bequests, county funds, or funds from any other source except license and permit fees, received by the board must be paid over to the state treasurer, who shall credit

this amount to a special fund in the state treasury known as the state weather modification fund. All proceeds deposited by the state treasurer in the state weather modification fund are appropriated to the board and, if expended, must be disbursed by warrant-check prepared by the office of management and budget upon vouchers submitted by the board and must be used for the purpose of paying for the expense of administration of this chapter and, with the exception of county funds or funds from any other person contracting with the board for weather modification operations, for the encouragement of research and development in weather modification by any private person, the North Dakota state university, the university of North Dakota, or any other appropriate state, county, or public agency by direct grant, contract, or other means. The board may use county funds or funds from any other person contracting with the board for weather modification operations. The board may not use state funds for weather modification operations."

Page 1, line 6, overstrike "**State to provide funds**" and insert immediately thereafter "**Use of state funds prohibited**"

Page 1, line 8, overstrike "appropriate to" and insert immediately thereafter "pay one hundred percent of the costs associated with weather modification to the board. The board shall deposit any county funds in"

Page 1, line 9, overstrike "the amount determined by the board to be necessary to"

Page 1, line 10, overstrike "provide that weather modification authority or person with" and insert immediately thereafter "to provide"

Page 1, line 11, after "operations" insert "to the contracting party"

Page 1, line 12, after the second comma insert "only"

Page 1, line 12, overstrike "the board"

Page 1, line 13, overstrike "deems necessary to provide a" and insert immediately thereafter "received from the"

Page 1, line 14, remove "Before the board expends these funds, the"

Page 1, remove lines 15 through 19

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1175: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1175 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 posting of school trust lands during big game hunting seasons."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - PUBLIC ACCESS TO SCHOOL TRUST LANDS. During the 2023-24 interim, the legislative management shall consider studying the impact of posting and restricting access to school trust lands during the big game hunting seasons. The study must include a review of current law applied to the posting of school trust lands. The study must include input from the department of trust lands and the game and fish department. 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 1218: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1218 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "one of whom shall represent North Prairie rural water district"

Page 1, line 13, after "2.", insert "One representative from the North Prairie regional water district.

3."

Page 1, line 18, overstrike "3." and insert immediately thereafter "4."

Page 1, line 21, overstrike "4." and insert immediately thereafter "5."

Page 1, line 22, replace "Two representatives" with "One representative"

Page 2, line 1, remove "with one position being elected in every even-"

Page 2, line 2, remove "numbered year beginning in 2024"

Page 2, line 3, overstrike "5." and insert immediately thereafter "6."

Page 2, line 5, after "commission" insert "who resides in the Souris River Basin"

Page 2, line 7, overstrike "6." and insert immediately thereafter "7."

Page 2, line 11, overstrike "7." and insert immediately thereafter "8."

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1224: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1224 was placed on the Sixth order on the calendar.

Page 8, line 17, after "equipment" insert "while using a dog"

Page 8, line 21, after the underscored period insert "A dog handler carrying a handgun must have permission from the landowner or individual authorized by the landowner before entering private land for the recovery of a big game animal."

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1230: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1230 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 16.1-01-12 of the North Dakota Century Code, relating to invalid signatures on an initiated petition; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16.1-01-12 of the North Dakota Century Code is amended and reenacted as follows:

16.1-01-12. Election offenses - Penalty.

1. It is unlawful for an individual, measure committee as described in section 16.1-08.1-01, or other organization to:
 - a. Fraudulently alter another individual's ballot, substitute one ballot for another, or otherwise defraud a voter of that voter's vote.
 - b. Obstruct a qualified elector on the way to a polling place.
 - c. Vote more than once in any election.
 - d. Knowingly vote in the wrong election precinct or district.
 - e. Disobey the lawful command of an election officer as defined in chapter 16.1-05.
 - f. Knowingly exclude a qualified elector from voting or knowingly allow an unqualified individual to vote.
 - g. Knowingly vote when not qualified to do so.
 - h. Sign an initiative, referendum, recall, or any other election petition when not qualified to do so.
 - i. Circulate an initiative, referendum, recall, or any other election petition not in its entirety or when unqualified to do so.
 - j. Pay or offer to pay any individual, measure committee, or other organization, or receive payment or agree to receive payment, on a basis related to the number of signatures obtained for circulating an initiative, referendum, or recall petition. This subsection does not prohibit the payment of salary and expenses for circulation of the petition on a basis not related to the number of signatures obtained, as long as the circulators file the intent to remunerate before submitting the petitions and, in the case of initiative and referendum petitions, fully disclose all contributions received pursuant to chapter 16.1-08.1 to the secretary of state upon submission of the petitions. The disclosure of contributions received under this section does not affect the requirement to file a pre-election report by individuals or organizations soliciting or accepting contributions for the purpose of aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure placed upon a statewide ballot by action of the legislative assembly under chapter 16.1-08.1. Any signature obtained in violation of this subdivision is void and may not be counted.
 - k. Willfully fail to perform any duty of an election officer after having accepted the responsibility of being an election officer by taking the oath as prescribed in this title.
 - l. Willfully violate any rule adopted by the secretary of state pursuant to this title.
 - m. Willfully make any false canvass of votes, or make, sign, publish, or deliver any false return of an election, knowing the canvass or return to be false; or willfully deface, destroy, or conceal any statement or certificate entrusted to the individual's or organization's care.
 - n. Destroy ballots, ballot boxes, election lists, or other election supplies except as provided by law, or negatively impact the confidentiality, integrity, or availability of any system used for voting.
 - o. Sign a name other than that individual's own name to an initiative, referendum, recall, or any other election petition.

- p. Willfully submit an initiative or referendum petition that contains invalid signatures totaling thirty percent or more of the total number of signatures on the petition for a measure that ultimately is placed on the ballot.
2. a. A violation of subdivisions b, e, f, or h through l of subsection 1 is a class A misdemeanor.
- b. A violation of subdivisions a, c, d, g, or m of subsection 1 is a class C felony.
- c. A violation of subdivision n of subsection 1 is a class C felony.
- d. A violation of subdivision o of subsection 1 is a class A misdemeanor if an individual signs one or two names other than the individual's own name to a petition and is a class C felony if an individual signs more than two names other than the individual's own name to a petition.
- e. An organization, as defined in section 12.1-03-04, that violates this section is subject to the organizational fines in section 12.1-32-01.1. The court in which the conviction is entered shall notify the secretary of state of the conviction and shall order the secretary of state to revoke the certificate of authority of any convicted organization or limited liability company. The organization may not reapply to the secretary of state for authorization to do business under any name for one year upon conviction of a class A misdemeanor and for five years upon conviction of a class C felony under this section, except an organization operating a signature gathering business, or similar enterprise, that violates subdivision p of subsection 1, and is convicted of fraud, is subject to a class A misdemeanor and may not reapply to the secretary of state for authorization to do business under any name for five years following the entry of judgment.
- f. A violation of subdivision p of subsection 1 by the chairman of a measure committee, including an initiative or referendum sponsoring committee or an agent acting on behalf of, or in conjunction with a measure committee for the purpose of collecting signatures for a petition under this chapter is subject to a fine of two dollars for each signature deemed invalid by the secretary of state.
- g. An individual who is a member of an organization may be convicted of a violation as an accomplice under section 12.1-03-01.
3. Every act this chapter makes criminal when committed with reference to the election of a candidate is equally criminal when committed with reference to the determination of a question submitted to qualified electors to be decided by votes cast at an election."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1249: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1249 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and a new section to chapter 44-08"

Page 1, line 16, replace "an institution" with "a school"

Page 1, line 17, remove "biological"

Page 2, remove lines 28 and 29

Page 3, overstrike lines 1 through 9

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1308: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1308 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections"

Page 1, line 1, after "14-08.1-06" insert "and 50-09-08.6"

Page 1, line 2, remove "and"

Page 1, line 3, after "application" insert "; and to provide a contingent expiration date"

Page 2, after line 12, insert:

"SECTION 2. AMENDMENT. Section 50-09-08.6 of the North Dakota Century Code is amended and reenacted as follows:

50-09-08.6. Suspension of ~~occupational, professional, recreational,~~ motor vehicle operator, and vehicle licenses and registrations for nonpayment of child support or failure to obey subpoena.

1. As used in this section:
 - a. "License" means:
 - (1) ~~Any certificate, permit, or license issued by an agency of the state or a political subdivision of the state which the obligor is required to obtain prior to engaging in the obligor's occupation or profession;~~
 - (2) Any certificate, permit, or license issued by an agency of the state which the obligor is required to obtain prior to engaging in a recreational activity; and
 - (3)(2) Any operator's license or vehicle license or registration which the obligor is required to obtain prior to operating or owning a vehicle in this state. As used in this section, "vehicle" includes any motor vehicle as defined in section 39-01-01, aircraft, snowmobile, motorboat, or personal watercraft.
 - b. "Licensee" means a person who has applied for or currently possesses a license.
 - c. "Licensing authority" means an agency of the state or a political subdivision of the state that issues a license, including ~~occupational or professional boards,~~ the game and fish department; and the department of transportation.
 - d. "Restrict", as it relates to the operator's license of an obligor or a person who fails to comply with a subpoena, includes the authority of the state agency to authorize the issuance, upon request for good cause, of a restricted operator's license that is solely for the use of a motor vehicle during the licensee's normal working hours.
2. The state agency, directly or through agents and child support agencies, may withhold, restrict, or suspend one or more licenses issued to:
 - a. A person who has failed, after receiving proper notice, to comply with a subpoena relating to a paternity or child support matter;

- b. An obligor who is listed on the arrears registry; or
 - c. An obligor who is not in compliance with an existing payment plan that has been negotiated between the obligor and the state agency under this section or in exchange for the state agency refraining from taking an enforcement action against the obligor.
3. Before withholding, restricting, or suspending a license under subdivision a or b of subsection 2, the state agency shall send a notice to the licensee by first-class mail to the licensee's last-known address stating that the licensee has thirty days after the date of the notice to comply with the subpoena, satisfy the arrearage in full, or negotiate a payment plan with the state agency under this section. The notice must further state that the licensee may contest the action of the state agency by making a written request for a court hearing under subsection 5 within ten days of the date of the notice.
 4. Upon notice to the licensee, the state agency may withhold, restrict, or suspend a license under subdivision c of subsection 2 at any time if the licensee fails to comply with a payment plan negotiated under this section. A copy of the state agency's order to withhold, restrict, or suspend a license must be sent to the licensee by first-class mail to the licensee's last-known address. The order must state that the licensee may contest the action of the state agency by making a written request for a court hearing under subsection 5 within ten days of the date of the order.
 5. A request for a hearing under this section must be made to the court that issued or considered the child support order. If a child support order was issued by a court or administrative tribunal in another jurisdiction, the request may be made to any court of this state which has jurisdiction to enforce that order or, if no court of this state has jurisdiction to enforce that order, in any court of this state with jurisdiction over the licensee.
 6. In a contest under this section, the court shall affirm the action of the state agency to withhold, restrict, or suspend a license unless the court finds that the state agency's decision was arbitrary, unreasonable, or capricious.
 7. The state agency shall notify the appropriate licensing authority that the state agency has withheld, restricted, or suspended a license under this section. A license that is withheld, restricted, or suspended by the state agency under this section may be reinstated only by the state agency after the licensee complies with the subpoena, satisfies the arrearage in full, or enters into a payment plan with the state agency under this section.
 8. An obligor and the state agency may enter into a payment plan under which the obligor agrees to satisfy the obligor's total child support obligation, including arrears, within a period not to exceed ten years. A payment plan under this section must require the obligor to make an immediate payment to the state disbursement unit in an amount equal to five percent of the total arrears owed by the obligor or five hundred dollars, whichever is greater. The state agency may waive or reduce the immediate payment that is due under a payment plan if the obligor's current or most recent monthly support obligation is less than five hundred dollars. The state agency may require that a payment plan under this section include satisfaction of all court-ordered child support obligations of the obligor. The obligor's current or most recent monthly support obligation under section 14-09-09.30 must be considered when determining the duration of a payment plan under this section and the payments due under the agreement. A payment plan under this section is not a modification of any child support obligation of the obligor and does not bar judicial review of a child support order under section 14-09-08.4 or other enforcement actions by the obligee or the state agency.

9. An action of the state agency to withhold, restrict, or suspend a license under this section may not be appealed to the state agency or to the licensing authority, including an appeal under chapter 28-32. Section 50-09-14 does not apply to actions taken by the state agency under this section.
10. Except for statistical purposes, an entry on the driving record or abstract of a restriction or suspension under this section after the restriction or suspension ceases may not be available to the public other than by order of a court of competent jurisdiction.
11. A licensing authority and any person acting on its behalf is not liable for any actions taken to withhold, restrict, or suspend a license under this section. This section does not limit the ability of a licensing authority to withhold, restrict, or suspend a license on any other grounds authorized by law."

Page 2, after line 14, insert:

"SECTION 4. CONTINGENT EXPIRATION DATE. Section 1 of this Act is effective until the date the executive director of the department of health and human services notifies the legislative council that the enactment of sections 1 and 2 of this Act causes the state to be out of compliance with 42 U.S.C. 666(a)(16), and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1366: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1366 was placed on the Sixth order on the calendar.

Page 1, line 14, after "2.", insert "An individual engaging or attempting to engage in barefoot skiing or surfing under subdivision b of subsection 1, must have on board the towing vessel a life preserver approved by the department.

3."

Page 1, line 18, overstrike "3." and insert immediately thereafter "4."

Page 1, line 18, overstrike "2" and insert immediately thereafter "3"

Page 1, line 20, overstrike "4." and insert immediately thereafter "5."

Page 2, line 1, overstrike "5." and insert immediately thereafter "6."

Page 2, line 11, overstrike "6." and insert immediately thereafter "7."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1391: 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 1391 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections" with "section"

Page 1, line 1, remove "and 61-16.1-45"

Page 1, line 3, remove "and maintenance of an assessment drain"

Page 1, line 10, remove "The minutes of the meeting must be published and distributed within"

Page 1, line 11, replace "seventy-two hours after any meeting date" with "The minutes of the meeting must be provided to the official newspaper of the county for publication or posted to the water resource board's website within ten days"

Page 1, remove lines 16 through 23

Page 2, remove lines 1 through 26

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1409: 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 1409 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "resident small" and insert immediately thereafter "general"

Page 1, line 11, overstrike "may"

Page 1, overstrike line 12

Page 1, line 13, overstrike "issued and"

Page 1, line 15, overstrike "who is licensed to hunt small game or waterfowl in this state and is subject to" and insert immediately thereafter "A nonresident youth may hunt during the entire"

Page 1, line 16, remove "regulations"

Page 1, line 16, overstrike "the same regulations as that youth's adult family member or legal guardian" and insert immediately thereafter "regular small game and waterfowl seasons"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1442: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1442 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1459: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1459 was placed on the Sixth order on the calendar.

Page 1, line 19, after "substance" insert ", other than marijuana or tetrahydrocannabinol."

Page 3, line 2, overstrike "or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1471: Agriculture Committee (Rep. Thomas, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1471 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1489: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1489 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "reproductive anatomy" with "nonambiguous sex organs"

Page 1, line 17, replace "a school" with "an institution"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1501: Agriculture Committee (Rep. Thomas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1501 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 54-10 of the North Dakota Century Code, relating to state audits of commodity groups; and to amend and reenact subsection 2 of section 4.1-44-04 of the North Dakota Century Code, relating to the presentation of state audit reports.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 4.1-44-04 of the North Dakota Century Code is amended and reenacted as follows:

2. The presiding officer of each house of the legislative assembly may direct the reports be filed with some other standing committee of that house. Each report must contain a summary of the activities of the commodity group during the current biennium, and a single-page uniform statement of revenues and expenditures for the next biennium. Each report, except the reports of the North Dakota beekeepers association and the North Dakota turkey federation, also must include a state ~~an~~ auditor's report on the commodity group's single-page uniform statement of revenues and expenditures for the previous two fiscal years or an annual federal financial statement audit required due to a federally mandated checkoff associated with the group's national association.

SECTION 2. A new section to chapter 54-10 of the North Dakota Century Code is created and enacted as follows:

Commodity groups - Certain groups exempt.

A commodity group required to present a state auditor's report under section 4.1-44-04 is exempt from this chapter if the commodity group is subject to a federal audit due to a federally mandated checkoff associated with the group's national association."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3006: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3006 was placed on the Sixth order on the calendar.

Page 1, line 14, remove the first "have"

Page 1, line 14, after "percent" insert "in July 2022"

Page 1, line 14, remove the second "have"

Page 1, line 15, after "percent" insert "in July 2022"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3013: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends

DO PASS and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3013 was placed on the Sixth order on the calendar.

Page 1, line 1, after "resolution" insert "recognizing December 6th as "Miner's Day" and"

Page 2, line 21, after "Assembly" insert "recognizes December 6th as "Miner's Day" and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3014: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3014 was placed on the Sixth order on the calendar.

Page 2, line 23, replace "Midwest" with "Midcontinent"

Renumber accordingly

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

Buell J. Reich, Chief Clerk

