

JOURNAL OF THE SENATE

Sixty-eighth Legislative Assembly

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Bismarck, March 30, 2023

The Senate convened at 12:30 p.m., with President Miller presiding.

The prayer was offered by Chaplain Bruce Kallis, Crisis Care Chaplaincy, Bismarck.

The roll was called and all members were present except Senator K. Roers.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Beard, Chairman)** has carefully examined the Journal of the Fifty-fourth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1199, after line 15, insert "In lieu of the amendments as printed on pages 1174-1178 of the Senate Journal, Engrossed House Bill No. 1028 is amended as follows:"

Page 1212, lines 33 and 34, replace "**DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING)" with "**BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING)"

Page 1213, after line 10, insert: "In lieu of the amendments as printed on pages 1178 and 1179 of the Senate Journal, Engrossed House Bill No. 1095 is amended as follows:"

SEN. BEARD MOVED that the report be adopted, which motion prevailed.

VETO MEASURE

Pursuant to Article V, Section 9 of the North Dakota Constitution, I have vetoed Senate Bill 2231 and return it to the Senate.

Section 1 of Senate Bill 2231 codifies First Amendment protections against compelled speech, setting state policy addressing pronoun use by state employees. However, vetoing Section 1 changes nothing, because under existing free speech protections, a state employee already cannot be required to use preferred pronouns but may still voluntarily do so. I would have no objections to signing this bill if it contained only Section 1.

Section 2 infringes on local control by unnecessarily injecting the state into rare instances most appropriately handled at the parent, teacher and school district level. This section removes discretion from school boards, schools and teachers in determining how to accommodate the needs of all students in public schools. Further, the First Amendment already prohibits compelled speech and protects teachers from speaking contrary to their beliefs, and courts across the country have upheld these rights.

Ambiguity throughout this bill would invite lawsuits and put teachers in the precarious position of trying to determine how to refer to students without violating law. The teaching profession is challenging enough without the heavy hand of state government forcing teachers to take on the role of pronoun police. Parents, teachers and administrators using compassion, empathy and common sense can address individual and infrequent situations that may arise.

At the end of the day, children are the future of our state, and we have a duty to protect all of them. North Dakota will continue to stand for free speech, local control and freedom from discrimination.

For the reasons stated above, Senate Bill 2231 is vetoed.

CONSIDERATION OF AMENDMENTS

HB 1341, as engrossed: SEN. MAGRUM (Energy and Natural Resources Committee) MOVED that the amendments on SJ page 1215 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1341: A BILL for an Act to provide for a legislative management study relating to statutory provisions that restrict the location and manner in which firearms and dangerous weapons may be carried.

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 39 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Davison; Hogan; Krebsbach; Lee; Mathern; Piepkorn

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1341, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1497, as engrossed: SEN. SICKLER (Judiciary Committee) MOVED that the amendments on SJ pages 1217-1220 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1497: A BILL for an Act to amend and reenact section 53-06.1-03 of the North Dakota Century Code, relating to the maximum number of gaming sites allowed and the maximum number of electronic pull tab devices allowed at a site; and to provide for a legislative management study.

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

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1497, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1070, as engrossed: SEN. PATTEN (Appropriations Committee) MOVED that the amendments on SJ pages 1212-1213 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1070: A BILL for an Act to create and enact three new sections to chapter 37-17.1 of the North Dakota Century Code, relating to the establishment and administration of a

hazard mitigation revolving loan fund; to amend and reenact subsection 12 of section 54-16-04.1, relating to emergency commission authorizations; and to provide a continuing appropriation.

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

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1070, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1268, as engrossed: SEN. BRAUNBERGER (Judiciary Committee) MOVED that the amendments on SJ pages 1214-1215 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1268: A BILL for an Act to create and enact a new subsection to section 14-07.1-02 of the North Dakota Century Code, relating to the definition of domestic violence and stalking; to amend and reenact subsection 3 of section 14-07.1-02 of the North Dakota Century Code, relating to domestic violence protection orders; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1268, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1245, as engrossed: SEN. WEBER (Finance and Taxation Committee) MOVED that the amendments on SJ page 1214 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1245: A BILL for an Act to amend and reenact sections 57-15-01 and 57-15-30.2 of the North Dakota Century Code, relating to communication of property tax levies with the public and financial reporting to the state auditor; to provide for the tax commissioner to study property tax transparency; 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 46 YEAS, 0

NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1245, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1429, as engrossed: SEN. KLEIN (Industry and Business Committee) MOVED that the amendments on SJ pages 1215-1217 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1429: A BILL for an Act to create and enact a new subdivision to subsection 7 of section 26.1-04-03 and a new section to chapter 54-06 of the North Dakota Century Code, relating to unfair discrimination in the business of insurance and the investment and management of public funds; to amend and reenact section 21-10-08.1 of the North Dakota Century Code, relating to the prohibition on social investments; to provide an appropriation; and to provide for a legislative management study.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Hogan; Mathern; Piepkorn

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1429, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1278: A BILL for an Act to amend and reenact sections 21-10-02, 21-10-06.1, 21-10-08.1, and subsection 10 of section 54-44.4-02 of the North Dakota Century Code, relating to the powers and duties of the state investment board, restrictions on perpetual contracts, required reports, and the prohibition on social investments; and to provide for a legislative management study.

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

YEAS: Cleary; Clemens; Conley; Elkin; Lemm; Luick; Magrum; Piepkorn; Wanzek; Weston

NAYS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Davison; Dever; Dwyer; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Mathern; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Weber; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1278 failed.

SECOND READING OF HOUSE BILL

HB 1329: A BILL for an Act to amend and reenact section 15.1-13-12.1 of the North Dakota Century Code, relating to reducing the years required for a teacher to be eligible for a lifetime teaching 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 23 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Davison; Dever; Erbele; Hogan; Kannianen; Larsen; Lemm; Mathern; Meyer; Myrdal; Patten; Piepkorn; Roers, J.; Rummel; Rust; Weber; Weston

NAYS: Barta; Beard; Clemens; Conley; Dwyer; Elkin; Estenson; Hogue; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Luick; Magrum; Paulson; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Wobbema

ABSENT AND NOT VOTING: Roers, K.

HB 1329 failed.

SECOND READING OF HOUSE BILL

HB 1463: A BILL for an Act to amend and reenact section 44-04-21 of the North Dakota Century Code, relating to legislative voting requirements.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Magrum; Mathern

ABSENT AND NOT VOTING: Roers, K.

HB 1463 passed.

MOTION

SEN. KLEIN MOVED that a committee of two be appointed to escort Canada's Consul General Ariel Delouya to the rostrum, which motion prevailed.

PRESIDENT MILLER APPOINTED Senators Piepkorn and Estenson to the Escort Committee.

REMARKS OF CANADA'S COUSUL GENERAL ARIEL DELOUYA MARCH 30, 2023

Madam President and Distinguished Senators:

Thank you very much for inviting me to address this chamber and those whom the people of

the great State of North Dakota elected to defend their interests. It is truly an honor.

Your gracious invitation is a testament to the warmth and importance of the relationship between Canada and North Dakota, and the broader relationship between Canada and the United States, which is unparalleled in modern international relations.

As a Canadian, and as a guest of your great state and its Senate, it is important to pause and recognize the original stewards of these lands, the indigenous inhabitants of north America. Canada is committed to the ongoing process of reconciliation with indigenous peoples.

In that spirit, I want to honor the Dakota and Anishinaabe people – and in particular, the five federally recognized tribes located within North Dakota: the Sisseton Wahpeton Oyate; Spirit Lake Nation; Standing Rock Sioux tribe; Mandan, Hidatsa, and Arikara Nation; and Turtle Mountain Band of Chippewa. We thank them for continuing to steward and protect the lands and waters of our common home.

Distinguished Senators:

I have the honor and privilege of serving as consul general of Canada in Minneapolis, and as my government's top diplomatic representative in the US upper Midwest States of North Dakota, Minnesota, Iowa, Nebraska, and South Dakota.

After more than four years in this deeply fulfilling and satisfying assignment, my time representing Canada in this part of the world – a part of the world that is both literally and figuratively close to Canada and Canadians, is coming to an end.

In my foreign service career of nearly 37 years, I have had the enormous good fortune of serving my country all across the globe. from Turkey to Washington, DC, and prior to this posting, as ambassador to Tunisia, I've represented Canada, conducting my country's diplomatic relations and working hard: to connect Canada and Canadians with elected officials and members of the public; to promote Canadian expertise and businesses; to serve Canadians in need of assistance; and perhaps most importantly, to project Canadian values.

I've worked in areas of the world where these values we hold so dear: peace; democracy; freedom; the rule of law; human rights; equal opportunity; security; sustainability; and economic growth and prosperity – are either ignored, or actively suppressed by authorities.

We share these values with the United States and her people, and have defended and promoted them throughout the world, both in times of war and in peace, for more than a century.

So, I come before you today with clear-eyed appreciation and gratitude for all that we in North America have built through hard work, ingenuity, and perseverance, and enjoy today.

Let none of it be lost on us. We are fortunate to have each other as neighbors. To quote President Ronald Reagan, we enjoy the "deep, unbending bonds of trust between old and devoted friends. And it takes understanding."

So, if you'll indulge a request by a soon-to-be-retired diplomat, I'd ask you, today, to be purposeful in supporting this remarkable friendship, built on an endless number of personal connections, including among lawmakers at every level; federal, state/provincial/territorial, and local.

No two nations depend more on each other for their mutual prosperity and security than the United States and Canada. Our nations are bound by our geography, history, values, economy, environment, and our resolve to improve the lives of our citizens. As President Kennedy so famously declared in 1961 when he addressed Canada's parliament in Ottawa: "Geography has made us neighbors. History has made us friends. Economics has made us partners. And necessity has made us allies. Those whom nature hath so joined together, let no man put asunder."

This partnership has resulted in one of the richest and freest regions in the world.

Still, we must be realistic about the world today: the interconnected global economy that we

helped build is at risk. It is time for us to strengthen our connection with each other as we consider this new global paradigm, and address the gathering risks, and the growing threat to our values and interests that we face from geostrategic rivals.

The building blocks for a strengthened U.S.-Canada relationship are already in place. We have our longstanding foreign policy and security cooperation, free and fair trade under the United States-Mexico-Canada Trade Agreement (USMCA), our commitment to protect our environment, and the stability that comes from the North American integrated energy market, something North Dakota understands better than most. Most importantly, however, there are the deep and centuries-old people-to-people connections that exist between our countries.

But in the face of the increased foreign interference from hostile state actors that I noted earlier, we must go further in our cooperation. This must include friend-shoring within the North American market, including for the critical minerals so essential to our long-term prosperity and security, enhanced preparedness to meet and counter threats to our homelands, and a commitment to values-based partnerships with our allies.

We will succeed or fail together in this new world. Now is not the time for retrenchment or protectionist policies that will harm North American jobs or limit our ability to support each other with goods and critical materials in the face of supply chain blockages.

Disagreements are inevitable in a partnership as large and complex as ours. but Canada is invested in the success of the United States, and we'll always be ready to work towards solutions, as we have in the past.

And I know you are of the same mind. I've been witness to your willingness to strengthen the North-Dakota-Canada relationship first-hand these last four years.

I've seen it from those of you who are North Dakota's delegates to the International Legislators Forum, a partnership between North Dakota, Manitoba, Minnesota, and South Dakota.

I've seen it from those of you who are part of the Midwest Canada Relations Committee of the Council of State Governments Midwestern Legislative Conference.

I've seen it from Governor Burgum, and to cite one powerful example in his readiness to help your neighbors in Manitoba and Saskatchewan during the pandemic, and other members of his administration. North Dakota is not lacking in leaders who are willing to reach out. To meet your Canadian counterparts. To listen and learn. To find common ground.

That's true leadership. That's how you make a relationship work. It's how you make a neighborhood thrive. It's the North Dakota way.

And I can tell you – Canada appreciates North Dakota.

The Canada-North Dakota relationship is deep and mutually beneficial.

Canada is, far and away, and without a doubt, North Dakota's number one customer. And it's not even close. In fact, North Dakota sells more goods to Canada than to all other countries in the world – combined!

You're welcome.

Our geography as neighbors and our history as partners means that Canada and North Dakota are connected in numerous ways.

We trade in agriculture. We trade in energy.

And we build and make things together through integrated supply chains.

We protect our shared environment together – water, air, and land - and are taking action to mitigate the risks posed by climate change. And we share a long, friendly border – indeed, the longest in the world.

As we look around the globe and see example after example of neighboring countries in

conflict, or outright war – this is truly something to celebrate.

The world recently marked a sober milestone: the one-year anniversary since Russia invaded Ukraine. Canada and the United States, as allies, stand together in responding to this crisis, as we have as in so many others across the globe and throughout history.

Our many military and security partnerships unite us in defense of North America, promote peace and security internationally, secure our homelands, and defend our democratic values.

Canadian and American troops fought together in World War I, World War II, in the Korean war, and in Afghanistan.

We thank our brave men and women who work together, every day, in all corners of the world, to keep us safe.

Because it's true. Freedom is not free. Democracy is not a given. President Reagan said it best: freedom is never more than one generation away from extinction.

We are so fortunate here. Sometimes we have a tendency to take our good fortune for granted. To take our neighbor for granted.

Over my many years living and working in the US, I have come to appreciate the Canadian-United States relationship for what it is: the single greatest friendship and partnership in the world.

Thank you for inviting me to be with you today. on behalf of the government of Canada, I extend my warmest wishes for a successful conclusion of this legislative session. and I thank you for being such great friends and partners for Canada.

Merci Beaucoup. Thank you very much.

MOTION

SEN. KLEIN MOVED that the remarks of Consul General Delouya be printed in the journal, which motion prevailed.

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 6 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bekkedahl; Braunberger; Cleary; Hogan; Mathern; Piepkorn

NAYS: Axtman; Barta; Beard; Boehm; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

HB 1358 failed.

MOTION

SEN. KLEIN MOVED that HB 1158 be moved to the top of the Fourteenth order, which motion prevailed.

REQUEST

SEN. KLEIN REQUESTED that the Senate divide HB 1158, as amended, which request was granted.

DIVISION A: Section 10

DIVISION B: Sections 1,2,3,4,5,6,7,8,9,11,13

ROLL CALL

The question being on the final adoption of Division A of HB 1158, as amended, the roll was called and there were 34 YEAS, 12 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Hogue; Kannianen; Kessel; Klein; Kreun; Larson; Lee; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Sickler; Vedaa; Wanzek; Weston; Wobbema

NAYS: Braunberger; Elkin; Erbele; Estenson; Hogan; Krebsbach; Larsen; Mathern; Piepkorn; Schaible; Sorvaag; Weber

ABSENT AND NOT VOTING: Roers, K.

Division A of HB 1158, as amended, was adopted on a recorded roll call vote.

ROLL CALL

The question being on the final adoption of Division B of HB 1158, as amended, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Division B of HB 1158, as amended, was adopted on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1158: A BILL for an Act to amend and reenact subsection 3 of section 15.1-27-02, sections 15.1-27-04.1 and 15.1-27-04.2, subsection 1 of section 57-02-08.1, sections 57-15-01 and 57-15-01.1, subsection 1 of section 57-15-14, section 57-15-14.2, subdivision c of subsection 1 of section 57-20-07.1, and subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to the determination of state aid payments, the homestead tax credit, information displayed on property tax statements, school district levy authority, and exempting taxable income in the first income bracket from taxation for individuals, estates, and trusts; to repeal sections 15.1-27-04.3, 15.1-27-15.1, and 15.1-27-20.2 of the North Dakota Century Code, relating to adjustments to state aid payments; to provide an appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Erbele; Mathern

ABSENT AND NOT VOTING: Roers, K.

HB 1158, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1424: A BILL for an Act to amend and reenact subsection 1 of section 16.1-08.1-03.2, subsection 1 of section 16.1-11-06, section 16.1-11-09, subsection 1 of section 16.1-11-11, and subsection 1 of section 16.1-11-16 of the North Dakota Century Code, relating to a candidate's contact information and the form of a nominating petition and a certificate of endorsement.

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 41 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Braunberger; Burckhard; Cleary; Clemens; Davison; Dever; Dwyer; Elkin; Erbele; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Wanzek; Weber; Weston; Wobbema

NAYS: Boehm; Conley; Estenson; Myrdal; Vedaa

ABSENT AND NOT VOTING: Roers, K.

HB 1424 passed.

SECOND READING OF HOUSE BILL

HB 1462: A BILL for an Act to amend and reenact section 61-16.1-54 of the North Dakota Century Code, relating to the procedural requirements governing appeals from a water resource board.

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 0 YEAS, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

NAYS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1462 failed.

SECOND READING OF HOUSE BILL

HB 1346: A BILL for an Act to amend and reenact subsection 3 of section 39-24-04 and section 39-24-11 of the North Dakota Century Code, relating to snowmobile registration exemption and penalties; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick;

Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1346 passed.

SECOND READING OF HOUSE BILL

HB 1444: A BILL for an Act to amend and reenact subsection 8 of section 54-12-01 of the North Dakota Century Code, relating to the duties of the attorney general.

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 1 YEAS, 45 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Magrum

NAYS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

HB 1444 failed.

SECOND READING OF HOUSE BILL

HB 1273: A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to the prohibition of ranked-choice and approval voting in elections; and to amend and reenact subsection 7 of section 11-09.1-05 and subsection 9 of section 40-05.1-06 of the North Dakota Century Code, relating to home rule powers.

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 33 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Boehm; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Klein; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rust; Schaible; Vedaa; Weber; Weston; Wobbema

NAYS: Bekkedahl; Braunberger; Cleary; Hogan; Kessel; Krebsbach; Lee; Mathern; Piepkorn; Rummel; Sickler; Sorvaag; Wanzek

ABSENT AND NOT VOTING: Roers, K.

HB 1273 passed.

MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 4:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tempore Schaible presiding.

REPORT OF DELAYED BILLS COMMITTEE

MADAM PRESIDENT: Your **Delayed Bills Committee (Sen. Myrdal, Chairman)** has cast a vote of 4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING in favor of accepting the introduction of a bill for an Act to amend and reenact subdivision ee of subsection 1 of section 41-09-02 of the North Dakota Century Code, relating to the definition of deposit account.

The bill will be SB 2392.

MOTION

SEN. KLEIN MOVED that Enrolled SB 2231 be placed on the Eleventh Order of business on the calendar for the purpose of overriding the Governor's veto pursuant to Article V, Section 9 of the Constitution of North Dakota, which motion prevailed.

CONSIDERATION OF VETOED MEASURE

SB 2231: AN ACT to create and enact sections 14-02.4-03.1 and 15.1-06-21 of the North Dakota Century Code, relating to preferred pronoun discriminatory practices and school policies on expressed gender.

ROLL CALL

The question being on the final passage of the enrolled bill, over the Governor's veto, which has been read, the roll was called and there were 37 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Barta; Beard; Bekkedahl; Boehm; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Axtman; Braunberger; Cleary; Hogan; Krebsbach; Lee; Mathern; Piepkorn; Rummel

ABSENT AND NOT VOTING: Roers, K.

The Senate overrode the Governor's veto of SB 2231, as enrolled.

MOTION

SEN. KLEIN MOVED that SB 2231 be immediately messaged to the House, which motion prevailed.

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

MR. SPEAKER: The Senate has overridden the Governor's veto on SB 2321. The vote was 37 YEAS, 9 NAYS, 1 ABSENT AND NOT VOTING, and your favorable consideration is requested.

MOTION

SEN. LEE MOVED that the Senate reconsider its action whereby HB 1329 failed to pass, which motion failed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1363: A BILL for an Act to amend and reenact section 23-06-03 of the North Dakota Century Code, relating to the duty of final disposition.

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

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

HB 1363 passed.

SECOND READING OF HOUSE BILL

HB 1285: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to limitations on the introduction of legislative bills prepared by executive branch agencies, legislative interim committees, and the judicial branch.

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

YEAS: Beard; Conley; Dwyer; Elkin; Estenson; Kannianen; Larsen; Magrum; Paulson; Vedaa

NAYS: Axtman; Barta; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Davison; Dever; Erbele; Hogan; Hogue; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Reengrossed HB 1285 failed.

SECOND READING OF HOUSE BILL

HB 1485: A BILL for an Act to create and enact a new section to chapter 54-66 of the North Dakota Century Code, relating to legislative assembly conflict of interest rules; to provide for application; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lemm; Luick; Magrum; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Hogan; Lee; Mathern; Piepkorn

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1485 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1506: A BILL for an Act to create and enact a new section to chapter 39-10.1 of the North Dakota Century Code, relating to bicycling or riding an animal while under the influence of alcohol or drugs; to amend and reenact section 39-07-01 and subsection 1 of section 39-10.1-01 of the North Dakota Century Code, relating to a bicycle and a ridden animal being deemed a vehicle; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Dwyer; Piepkorn

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1506, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1431: A BILL for an Act to amend and reenact section 16.1-01-04.1 and subsection 2 of section 16.1-15-08 of the North Dakota Century Code, relating to proof of citizenship.

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 41 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Braunberger; Hogan; Magrum; Mathern; Piepkorn

ABSENT AND NOT VOTING: Roers, K.

HB 1431, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1128: A BILL for an Act to amend and reenact subsection 2 of section 43-25-02, subsection 1 of section 43-25-05, subsection 1 of section 43-25-07, section 43-25-09, subsection 1 of section 43-25-10, and subsection 1 of section 43-25-18, relating to the practice and licensure of massage therapy.

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

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Magrum

ABSENT AND NOT VOTING: Roers, K.

HB 1128, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1141: A BILL for an Act to create and enact section 39-10-26.3 of the North Dakota

Century Code, relating to yielding the right of way for a stationary motor vehicle; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1141, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1310: A BILL for an Act to create and enact a new section to chapter 47-04.1 of the North Dakota Century Code, relating to electric vehicle charging station installation in condominiums; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Luick; Magrum; Mathern; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Lemm; Meyer; Myrdal

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1310, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1235: A BILL for an Act to create and enact a new section to chapter 44-01 of the North Dakota Century Code, relating to term beginning dates for elected state government officials.

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 41 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kessel; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Wanzek; Weber; Weston; Wobbema

NAYS: Kannianen; Klein; Piepkorn; Sorvaag; Vedaa

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1235 passed.

SECOND READING OF HOUSE BILL

HB 1345: A BILL for an Act to create and enact a new section to chapter 54-44.4 of the North Dakota Century Code, relating to state purchasing contracts.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 34 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Beard; Cleary; Conley; Elkin; Erbele; Estenson; Larsen; Magrum; Paulson; Vedaa; Wanzek; Weber

NAYS: Axtman; Barta; Bekkedahl; Boehm; Braunberger; Burckhard; Clemens; Davison; Dever; Dwyer; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1345 failed.

SECOND READING OF HOUSE BILL

HB 1517: A BILL for an Act to amend and reenact subsection 7 of section 43-06-14.1 and subsection 7 of section 43-06-15 of the North Dakota Century Code, relating to disciplinary proceedings of the state board of chiropractic examiners.

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 11 YEAS, 35 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Beard; Boehm; Conley; Davison; Elkin; Estenson; Larsen; Magrum; Paulson; Vedaa; Weston

NAYS: Axtman; Barta; Bekkedahl; Braunberger; Burckhard; Cleary; Clemens; Dever; Dwyer; Erbele; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Wanzek; Weber; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1517, as amended, failed.

SECOND READING OF HOUSE BILL

HB 1423: A BILL for an Act to create and enact a new section to chapter 4.1-01 of the North Dakota Century Code, relating to a model zoning review task force; and to amend and reenact sections 11-33-02.1, 23.1-01-04, and 58-03-11.1 of the North Dakota Century Code, relating to a model zoning ordinance for animal feeding operations and the North Dakota insurance reserve fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 40 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Bekkedahl; Boehm; Braunberger; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber;

Weston; Wobbema

NAYS: Beard; Cleary; Magrum; Mathern; Piepkorn; Rust

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1423, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1324: A BILL for an Act to amend and reenact section 16.1-01-10 of the North Dakota Century Code, relating to sufficiency of petitions as determined by the secretary of state.

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 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Barta; Beard; Bekkedahl; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Mathern; Meyer; Myrdal; Patten; Paulson; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

NAYS: Boehm; Magrum; Piepkorn

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1324, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1392: A BILL for an Act to create and enact two new sections to chapter 15-10 of the North Dakota Century Code, relating to the authority to deposit money into institution accounts at the Bank of North Dakota.

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

YEAS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Meyer; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1392 passed.

SECOND READING OF HOUSE BILL

HB 1387: A BILL for an Act to amend and reenact subsection 5 of section 53-06.1-11 of the North Dakota Century Code, relating to rent limits for electronic pull tab devices.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Conley; Davison; Dwyer; Elkin; Meyer; Weber

NAYS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Cleary; Clemens; Dever; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Magrum; Mathern; Myrdal; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

HB 1387 failed.

SECOND READING OF HOUSE BILL

HB 1534: A BILL for an Act to amend and reenact section 14-15-11 of the North Dakota Century Code, relating to waiver of certain adoption requirements for licensed foster care providers.

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 3 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Cleary; Magrum; Myrdal

NAYS: Axtman; Barta; Beard; Bekkedahl; Boehm; Braunberger; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Estenson; Hogan; Hogue; Kannianen; Kessel; Klein; Krebsbach; Kreun; Larsen; Larson; Lee; Lemm; Luick; Mathern; Meyer; Patten; Paulson; Piepkorn; Roers, J.; Rummel; Rust; Schaible; Sickler; Sorvaag; Vedaa; Wanzek; Weber; Weston; Wobbema

ABSENT AND NOT VOTING: Roers, K.

Engrossed HB 1534 failed.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1095, HB 1111, HB 1165, HB 1205, HB 1265, HB 1368, HB 1413, HB 1455, HB 1511, HB 1536.

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

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1457.

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: HCR 3035.

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

MADAM PRESIDENT: The House has passed, unchanged: SB 2052, SB 2269, SB 2291, SB 2378.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2104.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2104

Page 4, line 19, remove the overstrike over "eleven"

Page 4, line 19, remove "twelve"

Page 4, line 21, remove the overstrike over "but less than"

Page 4, line 21, remove "through"

Page 4, line 24, remove the overstrike over "eleven"

Page 4, line 24, remove "twelve"

Page 7, line 30, remove the overstrike over "eleven"

Page 7, line 30, remove "twelve"

Page 8, line 2, remove the overstrike over "but less than"

Page 8, line 2, remove "through"

Page 8, line 5, remove the overstrike over "eleven"

Page 8, line 5, remove "twelve"

Page 8, line 20, remove the overstrike over "and"

Page 8, line 21, remove the overstrike over "under"

Page 8, line 21, remove "through"

Page 8, line 29, replace "twelve" with "eleven"

Page 9, line 14, remove the overstrike over "eleven"

Page 9, line 14, remove "twelve"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2258.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The House has failed to pass, unchanged: SB 2128, SB 2251, SB 2351, SB 2354.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2183 and SB 2223.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2065, SB 2076, SB 2113, SB 2183, SB 2221, SB 2223, SB 2289, SB 2363.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1140, HB 1318.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1140, HB 1318.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: HB 1136.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on March 29, 2023, I have signed the following: SB 2078, SB 2115, SB 2116, SB 2210, and SB 2376.

MOTION

SEN. KLEIN MOVED that the absent member be excused, which motion prevailed.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, March 31, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1006, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1006 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, after "commission" insert "; and to provide an exemption"

Page 1, replace lines 12 through 18 with:

Salaries and wages	\$1,599,310	\$160,357	\$1,759,667
Operating expenses	2,067,677	1,467,323	3,535,000
Capital assets	0	2,250,000	2,250,000
Grants	<u>27,550,000</u>	<u>3,550,000</u>	<u>31,100,000</u>
Total all funds	\$31,216,987	\$7,427,680	\$38,644,667
Less estimated income	<u>30,741,987</u>	<u>7,427,680</u>	<u>38,169,667</u>
Total general fund	\$475,000	\$0	\$475,000"

Page 2, after line 15, insert:

"SECTION 4. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND. Section 54-44.1-11 does not apply to the appropriation in subsection 41 of section 1 of chapter 550 of the 2021 Special Session Session Laws, and any unexpended funds from this appropriation may be continued and used for the purpose of airport infrastructure grants during the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1006 - Aeronautics Commission - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$1,599,310	\$1,755,979	\$3,688	\$1,759,667
Operating expenses	2,067,677	3,535,000		3,535,000
Capital assets		2,250,000		2,250,000
Grants	<u>27,550,000</u>	<u>31,100,000</u>		<u>31,100,000</u>
Total all funds	\$31,216,987	\$38,640,979	\$3,688	\$38,644,667
Less estimated income	<u>30,741,987</u>	<u>38,165,979</u>	<u>3,688</u>	<u>38,169,667</u>
General fund	\$475,000	\$475,000	\$0	\$475,000
FTE	7.00	7.00	0.00	7.00

Department 412 - Aeronautics Commission - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Removes Salary Funding for Funding Pool ²	Total Senate Changes
Salaries and wages	\$28,177	(\$24,489)	\$3,688
Operating expenses			
Capital assets			
Grants			
Total all funds	\$28,177	(\$24,489)	\$3,688
Less estimated income	<u>28,177</u>	<u>(24,489)</u>	<u>3,688</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ Salaries and wages funding is adjusted to provide for the 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	Other Funds
Salary increase	\$29,005
Health insurance adjustment	(828)
Total	\$28,177

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	Other Funds	
New FTE positions		\$0
Vacant FTE positions		(24,489)
Total		(\$24,489)

This amendment adds a section to allow funding from the federal State Fiscal Recovery Fund from the 2021-23 biennium for airport infrastructure grants to continue into the 2023-25 biennium.

REPORT OF STANDING COMMITTEE

HB 1016, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1016 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, remove "; and to provide for a report"

Page 1, replace line 12 with:

"Salaries and wages	\$28,994,942	\$4,898,290	\$33,893,232"
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Page 1, replace lines 18 through 20 with:

"Total all funds	\$65,405,492	\$54,767,407	\$120,172,899
Less estimated income	<u>64,995,263</u>	<u>48,598,789</u>	<u>113,594,052</u>
Total general fund	\$410,229	\$6,168,618	\$6,578,847"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1016 - Job Service North Dakota - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$28,994,942	\$35,491,871	(\$1,598,639)	\$33,893,232
Operating expenses	17,164,373	67,290,155		67,290,155
Capital assets	20,000	20,000		20,000
Grants	8,281,051	8,054,512		8,054,512
Reed Act - Computer modernization	<u>10,945,126</u>	<u>10,915,000</u>		<u>10,915,000</u>
Total all funds	\$65,405,492	\$121,771,538	(\$1,598,639)	\$120,172,899
Less estimated income	<u>64,995,263</u>	<u>114,737,849</u>	(1,143,797)	<u>113,594,052</u>
General fund	\$410,229	\$7,033,689	(\$454,842)	\$6,578,847
FTE	156.61	158.61	0.00	158.61

Department 380 - Job Service North Dakota - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Removes Salary Funding for Funding Pool ²	Total Senate Changes
Salaries and wages	\$450,014	(\$2,048,653)	(\$1,598,639)
Operating expenses			
Capital assets			
Grants			
Reed Act - Computer modernization			
Total all funds	\$450,014	(\$2,048,653)	(\$1,598,639)
Less estimated income	443,919	(1,587,716)	(1,143,797)
General fund	\$6,095	(\$460,937)	(\$454,842)
FTE	0.00	0.00	0.00

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	\$6,125	\$461,165	\$467,290
Health insurance increase	(30)	(17,246)	(17,276)
Total	\$6,095	\$443,919	\$450,014

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	(\$439,818)	\$0	(\$439,818)
Vacant FTE positions	(21,119)	(1,587,716)	(1,608,835)
Total	(\$460,937)	(\$1,587,716)	(\$2,048,653)

REPORT OF STANDING COMMITTEE

HB 1155: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1155 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1160, as engrossed: Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1160 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 2, line 9, remove the overstrike over "~~two extensions~~"

Page 2, line 10, remove "extensions"

Page 4, line 27, remove the overstrike over "~~two extensions up to four~~"

Page 4, line 28, remove the overstrike over "~~months each~~"

Page 4, line 28, remove "an extension up to one year"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1173, as engrossed: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed HB 1173 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1267: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1267 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 12, remove "original"

Page 1, line 12, remove the overstrike over "with"

Page 1, line 12, remove "without"

Page 1, line 13, overstrike "was sold" and insert immediately thereafter "is:

a. Sold"

Page 1, line 13, remove the overstrike over the overstruck comma

Page 1, line 13, remove "and"

Page 1, line 14, remove the overstrike over "~~penalties, interest, and~~" and insert immediately thereafter "associated"

Page 1, line 14, remove the overstrike over "~~costs~~"

Page 1, line 14, after "with" insert "at the time of"

Page 1, line 14, remove the overstrike over "~~selling the property;~~"

Page 1, remove the overstrike over line 16

Page 1, line 17, remove the overstrike over "~~ninety-day retention period, any excess-proceeds must be distributed~~"

Page 2, line 2, remove "credited"

Page 2, line 3, replace "to the general fund of the county" with "as provided in subsection 3"

Page 2, line 4, overstrike "2. If the property is sold" and insert immediately thereafter:

b. Sold"

Page 2, line 6, remove the overstrike over "with"

Page 2, line 6, remove "without"

Page 2, line 8, remove the overstrike over the first overstruck comma

Page 2, line 8, remove "and"

Page 2, line 8, remove the overstrike over "~~, penalties;~~"

Page 2, line 9, remove the overstrike over "~~interest, and~~" and insert immediately thereafter "associated"

Page 2, line 9, remove the overstrike over "~~costs~~"

Page 2, line 9, after "with" insert "at the time of"

Page 2, line 9, remove the overstrike over "~~selling the property~~"

Page 2, line 9, remove the overstrike over "~~retained by~~"

Page 2, remove the overstrike over lines 10 and 11

Page 2, line 12, remove the overstrike over "subsection"

Page 2, line 12, replace "credited to the county general fund" with "3"

Page 2, line 13, overstrike "3. If the property is sold" and insert immediately thereafter:

"c. Sold"

Page 2, after line 17, insert:

- "2. If an owner of record title owns multiple parcels of property subject to foreclosure proceedings under this chapter, the county treasurer shall use the aggregate amount of outstanding taxes, special assessments, penalties, interest, and associated costs applicable to all parcels of property and the aggregate proceeds from all public or private sales of the parcels of property to determine the amount of excess proceeds, if any, available for distribution as provided in this section.
3. Excess proceeds under this section must be distributed:
- a. To the owner of the record title of the real estate listed in the notice of foreclosure of tax lien if the owner of record submitted an undisputed claim for the excess proceeds within the ninety-day retention period;
- b. To the clerk of the district court in the county in which all or a majority of the property is located if a disputed claim or multiple claims for the excess proceeds were submitted within the ninety-day retention period; or
- c. To the unclaimed property administrator under chapter 47-30.2 if a claim for the excess proceeds was not submitted within the ninety-day retention period."

Page 2, remove the overstrike over lines 18 through 21

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1277: Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1277 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 3, after "participation" insert "; and to declare an emergency"

Page 2, after line 2, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1316, as engrossed: Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1316 was placed on the Fourteenth order on the calendar. This bill affects workforce development.

REPORT OF STANDING COMMITTEE

HB 1331: Judiciary Committee (Sen. Larson, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1331 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1375: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1375 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

REPORT OF STANDING COMMITTEE

HB 1446, as engrossed: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1446 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, remove "pilot"

Page 1, line 7, replace "**Pilot program**" with "**Program**"

Page 1, line 9, remove "pilot"

Page 1, line 11, remove "pilot"

Page 1, line 14, after "education" insert "as listed in subsection 1"

Page 2, line 1, remove "pilot"

Page 2, line 4, remove "pilot"

Page 2, line 6, remove "pilot"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1493, as engrossed: Transportation Committee (Sen. Clemens, Chairman) recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1493 was placed on the Fourteenth order on the calendar. This bill affects workforce development.

FIRST READING OF SENATE BILL

Sens. Paulson, Estenson, Wobbema and Reps. Toman, Weisz introduced:
(Approved by Delayed Bills Committee)

SB 2392: A BILL for an Act to amend and reenact subdivision ee of subsection 1 of section 41-09-02 of the North Dakota Century Code, relating to the definition of deposit account.

Was read the first time and referred to the **Industry and Business Committee**.

The Senate stood adjourned pursuant to Senator Klein's motion.

Shanda Morgan, Secretary

