

JOURNAL OF THE HOUSE

Sixty-fourth Legislative Assembly

* * * * *

Bismarck, January 9, 2015

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

The prayer was offered by Rep. Trottier.

The roll was called and all members were present except Representatives Delmore, Hawken, M. Johnson, Klein, K. Koppelman, Looyesen, Mock, and Thoreson.

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. Kretschmar, Chairman)** has carefully examined the Journal of the First Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 27, line 15, replace "adjourned" with "in recess"

Page 27, after line 18, add "**THE HOUSE RECONVENED** pursuant to recess taken, with Speaker Belter presiding."

Page 27, line 28, replace "Kim Koppelman" with "K. Koppelman"

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

MOTION

REP. VIGESAA MOVED that HB 1144 be returned to the House floor from the **Transportation Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

Pursuant to Rep. Vigesaa's motion, HB 1144 was rereferred.

MOTION

REP. VIGESAA MOVED that HB 1075 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed.

Pursuant to Rep. Vigesaa's motion, HB 1075 was rereferred.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural **Rules Committee (Rep. Carlson, Chairman)** recommends that the House Rules as adopted on December 3, 2014, be amended as follows:

SECTION 1. AMENDMENT. House Rule 319 is amended as follows:

319. Division of question.

1. If a question before the House contains more than one proposal, any member may have the question divided, except a question on the adoption of a conference committee report or on the second reading and final passage of a measure resulting from the adoption of a conference committee report may not be divided.
2. A proposal to divide a question must be submitted in writing to the Speaker in advance of the floor session at which the measure is placed on the calendar for consideration.

3. A question containing more than one proposal may be divided only if each resulting division is so distinct and separate it can stand as a complete proposition without being rewritten.
- 3.4. Each division of a divided question requires the same vote for adoption that the division would require if it stood alone.
- 4.5. After voting on all divisions, the approved divisions comprise the question before the House.

SECTION 2. AMENDMENT. House Rule 603 is amended as follows:

603. Division of report. Whenever the report of any committee, except a conference committee, contains several amendments, any member may have the amendments divided into separate divisions. A proposal to have amendments divided must be submitted in writing to the Speaker in advance of the floor session at which the measure is placed on the calendar for consideration. The question of adoption must be taken separately on each amendment. All approved divisions comprise the report that is to be adopted.

REP. KRETSCHMAR MOVED that the report be adopted, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1100: A BILL for an Act to amend and reenact subsection 2 of section 43-23.3-03 and sections 43-23.3-04, 43-23.3-04.1, 43-23.3-09, 43-23.3-22, and 43-23.3-24 of the North Dakota Century Code, relating to real estate appraiser 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 84 YEAS, 2 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Kretschmar; Laning; Larson; Lefor; Louser; Maragos; Martinson; Meier; Mitskog; Monson; Mooney; Muscha; Nathe; Nelson, J.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Glassheim; Nelson, M.

ABSENT AND NOT VOTING: Delmore; Hawken; Johnson, M.; Klein; Koppelman, K.; Looyson; Mock; Thoreson

HB 1100 passed.

SECOND READING OF HOUSE BILL

HB 1108: A BILL for an Act to amend and reenact sections 25-01-01.1, 25-01.2-01, 25-01.2-02, 25-01.2-03, 25-01.2-04, 25-01.2-08, 25-01.2-09, 25-01.2-11, 25-01.2-13, 25-01.2-14, 25-01.2-17, 25-04-01, 25-04-02, 25-04-03, 25-04-04, 25-04-05.1, 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, 25-16-05, 25-16-06, 25-16-07, 25-16-08, 25-16-09, 25-16-12, 25-16-14, 25-16.1-01, 25-18-15, subsection 9 of section 43-12.1-04, sections 50-06-01.4, 50-06-06.3, 50-06-06.4, 50-10.1-01, and 57-38-01.16 of the North Dakota Century Code, relating to changing statutory references to "developmentally disabled persons" to "individual with a developmental disability" or "individuals with developmental disabilities".

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 86 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Kretschmar; Laning; Larson; Lefor; Louser; Maragos; Martinson; Meier; Mitskog; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Delmore; Hawken; Johnson, M.; Klein; Koppelman, K.; Looyesen; Mock; Thoreson

HB 1108 passed.

SECOND READING OF HOUSE BILL

HB 1121: A BILL for an Act to amend and reenact section 39-06.2-07 of the North Dakota Century Code, relating to commercial driver's license qualification standards.

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 83 YEAS, 3 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Kading; Karls; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Kretschmar; Laning; Lefor; Louser; Maragos; Martinson; Meier; Mitskog; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Headland; Kasper; Larson

ABSENT AND NOT VOTING: Delmore; Hawken; Johnson, M.; Klein; Koppelman, K.; Looyesen; Mock; Thoreson

HB 1121 passed.

SECOND READING OF HOUSE BILL

HB 1122: A BILL for an Act to amend and reenact sections 39-06-14, 39-06-18, and 39-06-19 of the North Dakota Century Code, relating to general operator's license requirements, substitute operator's licenses, and license renewals.

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 86 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Headland; Hofstad; Hogan; Holman;

Hunskor; Johnson, D.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Kretschmar; Laning; Larson; Lefor; Louser; Maragos; Martinson; Meier; Mitskog; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Delmore; Hawken; Johnson, M.; Klein; Koppelman, K.; Looyesen; Mock; Thoreson

HB 1122 passed.

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, January 12, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1063: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1063 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1104: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1104 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1105: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1105 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1107: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1107 was placed on the Sixth order on the calendar.

Page 1, line 2, after "radio" insert "; and to declare an emergency"

Page 1, line 13, overstrike ", whether the date of that agreement is before or after April 4, 2003"

Page 1, after line 15, insert:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1123: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1123 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk