

JOURNAL OF THE HOUSE

Sixty-fourth Legislative Assembly

* * * * *

Bismarck, March 12, 2015

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

The prayer was offered by Pastor Josh Skjoldol, Evangel Assembly of God, Bismarck.

The roll was called and all members were present except Representatives Frantsvog, Glassheim, Kading, Kiefert, Schmidt, and Strinden.

A quorum was declared by the Speaker.

MOTION

REP. VIGESAA MOVED that HCR 3022, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

MOTION

REP. VIGESAA MOVED that that Joint Rule 206(3) be suspended and HCR 3059, which is on the Tenth order of today's calendar, be placed on the Eleventh order of tomorrow's calendar, which motion prevailed.

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 Forty-fourth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 950, after line 13, insert

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

MR. PRESIDENT: The Speaker has signed: HB 1026, HB 1028, HB 1036, HB 1037, HB 1045, HB 1074, HB 1104, HB 1105, HB 1121, HB 1127, HB 1129, HB 1156, HB 1168, HB 1208, HB 1212, HB 1220, HB 1335, HB 1346, HB 1385."

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

SIXTH ORDER OF BUSINESS

SPEAKER BELTER DEEMED approval of the amendments to Engrossed SB 2092, Engrossed SB 2143, Engrossed SB 2209, and SB 2351.

Engrossed SB 2092, Engrossed SB 2143, Engrossed SB 2209, and SB 2351, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3047: A concurrent resolution to amend and reenact section 2 of article III of the Constitution of North Dakota, relating to the fiscal impact of initiated measures.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 71 YEAS, 17 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Hunsakor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Olson;

Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke; Speaker Belter

NAYS: Amerman; Anderson, P.; Boe; Guggisberg; Haak; Hanson; Hogan; Holman; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Wallman

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

Engrossed HCR 3047 was declared adopted on a recorded roll call vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3035: A concurrent resolution to amend and reenact section 5 of article IV, section 4 of article V, and section 10 of article VI of the Constitution of North Dakota, relating to the qualifications of office for elected and appointed offices of the legislative, executive, and judicial branches of government; and to provide an effective date.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 42 YEAS, 46 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Damschen; Dockter; Fehr; Froseth; Haak; Hanson; Headland; Hofstad; Keiser; Kempenich; Klein; Koppelman, B.; Laning; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mock; Monson; Nathe; Olson; Rohr; Ruby; Schatz; Skarphol; Steiner; Streyle; Thoreson; Toman; Weisz

NAYS: Amerman; Anderson, B.; Anderson, P.; Carlson; Delmore; Delzer; Devlin; Dosch; Guggisberg; Hatlestad; Hawken; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Kelsh; Klemin; Koppelman, K.; Kreidt; Kretschmar; Larson; Mitskog; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Sukut; Trottier; Vigasaa; Wallman; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

HCR 3035 was declared lost on a recorded roll call vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3050: A concurrent resolution to create and enact a new section to article XII of the Constitution of North Dakota, relating to precluding corporations from claiming the rights of natural persons and exerting influence on elections or legislation.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 18 YEAS, 70 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boschee; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Kelsh; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider

NAYS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

HCR 3050 was declared lost on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2145: A BILL for an Act to amend and reenact subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks.

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, 1 NAYS, 0 EXCUSED, 6 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; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Schatz

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

SB 2145, as amended, passed.

SECOND READING OF SENATE BILL

SB 2057: A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to the legislative management assignment of regular legislative interim committee review of statutory provisions providing economic development tax incentives.

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, 0 NAYS, 0 EXCUSED, 6 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; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

SB 2057, as amended, passed.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Frank Klein

SECOND READING OF SENATE BILL

SB 2347: A BILL for an Act to amend and reenact subdivision d of subsection 3 of section 49-23-04 of the North Dakota Century Code, relating to the use of certain marking flags.

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 60 YEAS, 28 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Boe; Boschee; Brandenburg; Carlson; Delmore; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hogan; Hunskor; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Klemin; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Maragos; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Pollert; Sanford; Schneider; Schreiber Beck; Seibel; Skarphol; Sukut; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Anderson, B.; Becker, Rich S.; Bellew; Boehning; Brabandt; Damschen; Delzer; Hofstad; Holman; Johnson, D.; Klein; Koppelman, B.; Louser; Martinson; Meier; Olson; Paur; Porter; Rohr; Ruby; Schatz; Silbernagel; Steiner; Streyle; Thoreson; Toman; Trottier; Vigasaa

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

Engrossed SB 2347, as amended, passed.

SECOND READING OF SENATE BILL

SB 2087: A BILL for an Act to provide an exemption; 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 NOT PASS, the roll was called and there were 19 YEAS, 69 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Boschee; Delmore; Guggisberg; Haak; Hanson; Hawken; Hogan; Hunskor; Johnson, M.; Kelsh; Mitskog; Mock; Mooney; Muscha; Onstad; Oversen; Schneider

NAYS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Headland; Hofstad; Holman; Johnson, D.; Karls; Kasper; Keiser; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

Engrossed SB 2087 failed.

SECOND READING OF SENATE BILL

SB 2210: A BILL for an Act to create and enact chapter 15.1-09.2 of the North Dakota Century Code, relating to regional education associations; and to repeal chapter 15.1-09.1 of the North Dakota Century Code, relating to regional education associations.

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 40 YEAS, 48 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Boe; Boehning; Boschee; Carlson; Devlin; Dockter; Hatlestad; Hawken; Headland; Hofstad; Hunsakor; Johnson, D.; Johnson, M.; Kelsh; Kempenich; Kreidt; Kretschmar; Larson; Looyesen; Maragos; Martinson; Monson; Muscha; Nathe; Nelson, J.; Owens; Paur; Porter; Sanford; Schreiber Beck; Seibel; Silbernagel; Streyle; Sukut; Toman; Weisz; Zubke

NAYS: Amerman; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hogan; Holman; Karls; Kasper; Keiser; Klein; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Louser; Meier; Mitskog; Mock; Mooney; Nelson, M.; Olson; Onstad; Oversen; Pollert; Rohr; Ruby; Schatz; Schneider; Skarphol; Steiner; Thoreson; Trottier; Vigasaa; Wallman; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

SB 2210 failed.

SECOND READING OF SENATE BILL

SB 2056: A BILL for an Act to create and enact section 11-11-05.1, a new subsection to section 11-11-14, and a new subsection to section 40-05-01 of the North Dakota Century Code, relating to joint meetings of boards of county commissioners and financial information requests for city or county governing body consideration of property tax levy requests of unelected governing bodies; to amend and reenact subsections 8 and 9 of section 2-06-10, sections 2-06-14, 2-06-15, 4-02-27, 4.1-47-14, and 4.1-47-25, subsection 2 of section 11-11-53, sections 11-11.1-04, 11-28-06, 11-28-17, 11-36-14, 11-37-13, 23-18.2-12, 23-24-09, and 40-38-02, subsection 6 of section 40-57.4-03, and sections 40-57.4-04 and 61-04.1-26 of the North Dakota Century Code, relating to approval authority of boards of county commissioners and city governing bodies over property tax levies of unelected governing bodies; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 6 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Boe; Froseth; Mitskog; Nelson, M.; Schreiber Beck

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

Engrossed SB 2056 passed.

SECOND READING OF SENATE BILL

SB 2158: A BILL for an Act to amend and reenact subsection 2 of section 57-38-01.21 and subdivision e of subsection 7 of section 57-38-30.3 of the North Dakota Century

Code, relating to aggregation of contributions for purposes of the income tax credit for charitable gifts if those gifts are made to qualified endowments under the control of a nonprofit corporation established and operated for the benefit an institution of higher education in this state, its staff, its faculty, or its students; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 77 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Beadle; Delmore; Dosch; Hanson; Hawken; Holman; Keiser; Maragos; Mock; Mooney; Muscha

NAYS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Fehr; Froseth; Guggisberg; Haak; Hatlestad; Headland; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Kelsh; Kempenich; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Martinson; Meier; Mitskog; Monson; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsovog; Glassheim; Kading; Kiefert; Schmidt; Strinden

SB 2158 failed.

SECOND READING OF SENATE BILL

SB 2080: A BILL for an Act to amend and reenact subsection 24 of section 50-11.1-02, subsections 2 and 3 of section 50-11.1-03, subsection 1 of section 50-11.1-04, subsection 9 of section 50-11.1-06.2, sections 50-11.1-13.1 and 50-11.1-17, and subsections 1, 3, and 4 of section 50-11.1-18 of the North Dakota Century Code, relating to the definition of self-declaration, early childhood services license requirements, prerequisites for issuance of a license or self-declaration, background investigations, penalty for provision of services, and the early childhood services inclusion support services and grant program.

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, 1 NAYS, 0 EXCUSED, 6 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; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Olson

ABSENT AND NOT VOTING: Frantsovog; Glassheim; Kading; Kiefert; Schmidt; Strinden

SB 2080 passed.

SECOND READING OF SENATE BILL

SB 2100: A BILL for an Act to amend sections 19-03.1-05, 19-03.1-09, and 19-03.1-11 of the North Dakota Century Code, relating to the scheduling of controlled substances; 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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

Engrossed SB 2100 passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2173: A BILL for an Act to amend and reenact section 43-15-31.4 of the North Dakota Century Code, relating to the governance of prescriptive practices for pharmacists.

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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

Engrossed SB 2173 passed.

SECOND READING OF SENATE BILL

SB 2098: A BILL for an Act to amend and reenact section 29-28-07 of the North Dakota Century Code, relating to appeals by the state.

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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

SB 2098 passed.

SECOND READING OF SENATE BILL

SB 2200: A BILL for an Act to amend and reenact sections 19-01-10 and 19-03.1-37 of the North Dakota Century Code, relating to reports issued by the state crime laboratory.

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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 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; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog; Glassheim; Kading; Kiefert; Schmidt; Strinden

SB 2200 passed.

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

MR. PRESIDENT: The House has passed, and your favorable consideration is requested on: HCR 3040, HCR 3045, HCR 3049, HCR 3055, HCR 3056.

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

MR. PRESIDENT: The House has failed to pass: HCR 3043.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2053, SB 2067, SB 2084, SB 2132, SB 2135.

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

MR. PRESIDENT: The House has failed to pass, unchanged: SB 2330.

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

MR. PRESIDENT: The House has failed to pass, unchanged: SCR 4015.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has passed, unchanged: HB 1073, HB 1257, HB 1374, HB 1416, HB 1448.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HCR 3008.

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3008

Page 1, line 23, replace "copies" with "a copy"

Page 1, line 24, replace "the North Dakota Congressional Delegation" with "Congress"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1027, HB 1125, HB 1131, HB 1192, HB 1239, HB 1330, HB 1337, HB 1470, HCR 3036.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2055, SB 2091, SB 2101, SB 2102, SB 2142, SB 2167, SB 2180, SB 2184, SB 2211, SB 2301, SB 2306.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: The President has signed: HB 1027, HB 1125, HB 1131, HB 1192, HB 1239, HB 1330, HB 1337, HB 1470, HCR 3036.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2055, SB 2091, SB 2101, SB 2102, SB 2142, SB 2167, SB 2180, SB 2184, SB 2211, SB 2301, SB 2306.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: The President has signed: SB 2024, SB 2028, SB 2036, SB 2047, SB 2062, SB 2063, SB 2064, SB 2071, SB 2089, SB 2112, SB 2115, SB 2117, SB 2152, SB 2229.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: The President has signed: SB 2055, SB 2091, SB 2101, SB 2102, SB 2142, SB 2167, SB 2180, SB 2184, SB 2211, SB 2301, SB 2306.

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, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, March 13, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HCR 3046: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3046 was placed on the Sixth order on the calendar.

Page 2, after line 12, insert:

"BE IT FURTHER RESOLVED, that higher education professionals designated by the state board of higher education be involved in the study; and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3048: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HCR 3048 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3051: Education Committee (Rep. Nathe, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (9 YEAS, 3 NAYS, 1 ABSENT AND

NOT VOTING). HCR 3051 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3052: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3052 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "directing" with "urging"

Page 1, line 1, replace "Legislative Management" with "North Dakota University System and State Board of Higher Education"

Page 1, line 15, remove "Legislative Management study all policies, procedures, supports, and services"

Page 1, replace lines 16 through 20 with "North Dakota Legislative Assembly recognizes the need to address policies regarding sexual assault reporting and services available to students and urges the North Dakota University System and the State Board of Higher Education to study the issue, with input from legislators, law enforcement officials, health professionals, and others to craft uniform policies for North Dakota college and university campuses."

REPORT OF STANDING COMMITTEE

HCR 3053: Education Committee (Rep. Nathe, Chairman) recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HCR 3053 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3057: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3057 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3058: Education Committee (Rep. Nathe, Chairman) recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HCR 3058 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2034, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2034 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2042, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2042 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2052, as engrossed: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2052 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "and"

Page 1, line 9, after "application" insert "; and to declare an emergency"

Page 3, line 26, remove "may, for a first violation or occurrence, and"

Page 3, line 26, remove ", for a second or"

Page 3, line 27, remove "subsequent violation or occurrence."

Page 3, line 28, after "54-12" insert "for a period of not less than eight weeks"

Page 16, after line 25, insert:

"SECTION 14. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2066, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2066 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections 43-28-02.1 and" with "section"

Page 1, line 3, remove "43-28-04,"

Page 3, remove lines 8 through 14

Page 3, line 19, remove the overstrike over "seven"

Page 3, line 19, remove "eight"

Page 3, line 21, remove "one registered dental assistant member."

Page 3, line 24, remove the overstrike over "and"

Page 3, line 24, remove the second the comma

Page 3, line 25, remove the overstrike over the second comma

Page 3, line 26, remove ". and two years later two new board members must be appointed. one of"

Page 3, line 27, remove "whom is a dentist and one of whom is a registered dental assistant"

Page 4, line 1, after the underscored comma insert "notwithstanding term limitations."

Page 4, remove lines 5 through 31

Page 5, remove lines 1 through 5

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2069: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2069 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2094: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2094 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2118: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). SB 2118 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2124: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2124 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2125: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2125 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2128, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2128 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2136: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2136 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2174: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2174 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2197, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2197 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2198, as engrossed: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2198 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2235, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2235 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2236, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2236 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2256: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). SB 2256 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2259, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2259 was placed on the Sixth order on the calendar.

Page 1, line 2, after "drugs" insert "; and to provide for a notification by secretary of state"

Page 3, remove lines 22 through 30

Page 4, remove lines 1 and 2

Page 4, line 3, replace "4." with "3."

Page 4, after line 28, insert:

"SECTION 2. NOTIFICATION BY SECRETARY OF STATE. The secretary of state shall notify the federal food and drug administration and the North Dakota

congressional delegation of this bill by sending a copy of this bill upon filing with the secretary of state."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2286: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2286 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2324, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2324 was placed on the Sixth order on the calendar.

Page 2, line 4, overstrike "license number and"

Page 2, line 5, overstrike "license number and"

Page 2, line 15, overstrike "A licensed alcohol carrier may not ship alcoholic beverages received from an"

Page 2, line 16, overstrike "unlicensed direct shipper."

Page 2, line 19, remove "it will not ship additional alcoholic"

Page 2, remove lines 20 through 23

Page 2 line 24 replace "subsection 3" with "the direct shipper must obtain a direct shipper permit before tendering packages to the licensed alcohol carrier for delivery"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2325: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2325 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4004: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SCR 4004 was placed on the Tenth order on the calendar.

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

Buell J. Reich, Chief Clerk

