

JOURNAL OF THE HOUSE

Sixty-fourth Legislative Assembly

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Bismarck, February 13, 2015

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

The prayer was offered by Sister Ivo Schock, Corpus Christi Church, Bismarck.

The roll was called and all members were present except Representatives Belter, Frantsvog, and M. Nelson.

A quorum was declared by the Acting 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 Twenty-seventh and Twenty-eighth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 481, line 14, remove "of fire sprinkler systems"

Page 487, line 23, replace "HB 1334" with "HB 1344"

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

SIXTH ORDER OF BUSINESS

ACTING SPEAKER DEVLIN DEEMED approval of the amendments to HB 1078, HB 1186, HB 1231, HB 1244, HB 1247, HB 1368, HB 1373, and HCR 3010.

MOTION

REP. VIGESAA MOVED that Rule 601C be suspended, and HB 1186 which had amendments approved on the Sixth order of today's calendar be moved to the top of the Eleventh order of today's calendar, and HB 1078 which had amendments approved on today's Sixth order be placed in the third position of today's Eleventh order, which motion prevailed.

SIXTH ORDER OF BUSINESS

ACTING SPEAKER DEVLIN DECLARED that all the bills and resolutions on the Sixth order with the exception of HB 1186 and HB 1078 be placed on the Tenth or Eleventh order of business on the following day's calendar.

MOTION

REP. VIGESAA MOVED that HB 1133 be returned to the House floor from the **Finance and Taxation Committee** and be placed on the Eleventh order of business on the following day's calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1186: A BILL for an Act to create and enact section 12.1-31-03.2 of the North Dakota Century Code, relating to child-resistant packaging for liquid nicotine containers; to amend and reenact sections 12.1-31-03, 12.1-31-03.1, subsection 19 of section 27-20-02, and section 51-32-01 of the North Dakota Century Code, relating to the sale to minors and use by minors of electronic smoking devices or alternative nicotine products; to provide a penalty; and to provide an expiration 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 71 YEAS, 20 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Bellew; Boe;

Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Kelsh; Kempenich; Kiefert; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mock; Monson; Nathe; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz

NAYS: Anderson, P.; Becker, Rick C.; Boschee; Glassheim; Guggisberg; Haak; Hanson; Keiser; Klemin; Larson; Mitskog; Mooney; Muscha; Nelson, J.; Onstad; Oversen; Schneider; Strinden; Wallman; Zubke

ABSENT AND NOT VOTING: Frantsvog; Nelson, M.; Speaker Belter

Engrossed HB 1186 passed.

SECOND READING OF HOUSE BILL

HB 1265: A BILL for an Act to amend and reenact section 12.1-31-03 and subsection 19 of section 27-20-02 of the North Dakota Century Code, relating to minors and the sale and use of electronic smoking devices; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 37 YEAS, 54 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Devlin; Dosch; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hogan; Holman; Hunskor; Kelsh; Kiefert; Klemin; Kretschmar; Laning; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, J.; Onstad; Oversen; Schneider; Silbernagel; Strinden; Wallman; Weisz; Zubke

NAYS: Anderson, B.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dockter; Fehr; Froseth; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Nathe; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa

ABSENT AND NOT VOTING: Frantsvog; Nelson, M.; Speaker Belter

HB 1265 failed.

SECOND READING OF HOUSE BILL

HB 1078: A BILL for an Act to amend and reenact sections 12.1-31-03 and 12.1-31-03.1, subsection 19 of section 27-20-02, and section 51-32-01 of the North Dakota Century Code, relating to the sale and use of nicotine devices by minors; 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 NOT PASS, the roll was called and there were 51 YEAS, 40 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brandenburg; Devlin; Dockter; Dosch; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Johnson, M.; Keiser; Kelsh; Kiefert; Klemin; Kretschmar; Laning; Larson; Lefor; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Schneider; Seibel;

Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Wallman; Weisz; Zubke

NAYS: Becker, Rick C.; Bellew; Boehning; Brabandt; Carlson; Damschen; Delmore; Delzer; Fehr; Froseth; Hatlestad; Headland; Hofstad; Johnson, D.; Kading; Karls; Kasper; Kempenich; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Looyesen; Louser; Maragos; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Streyle; Toman; Trottier; Vigesaa

ABSENT AND NOT VOTING: Frantsvog; Nelson, M.; Speaker Belter

Engrossed HB 1078 passed.

SECOND READING OF HOUSE BILL

HB 1421: A BILL for an Act to amend and reenact subsection 10 of section 57-36-01, sections 57-36-25 and 57-36-26, subsection 2 of section 57-36-28, and sections 57-36-31 and 57-36-32 of the North Dakota Century Code, relating to the excise taxes on tobacco products and the cigarette tax; to repeal section 57-36-24 of the North Dakota Century Code, relating to the exemption from the tobacco tax for products given to the veterans' home and the state hospital; 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 NOT PASS, the roll was called and there were 34 YEAS, 56 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Boe; Boschee; Delmore; Glassheim; Guggisberg; Hawken; Hogan; Holman; Hunskor; Johnson, M.; Keiser; Kelsh; Kiefert; Klemin; Kretschmar; Larson; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Onstad; Oversen; Sanford; Schneider; Schreiber Beck; Silbernagel; Strinden; Wallman; Zubke

NAYS: Amerman; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Haak; Hanson; Hatlestad; Headland; Hofstad; Johnson, D.; Kading; Karls; Kasper; Kempenich; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Monson; Nathe; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Seibel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz

ABSENT AND NOT VOTING: Anderson, P.; Frantsvog; Nelson, M.; Speaker Belter

Engrossed HB 1421 failed.

SECOND READING OF HOUSE BILL

HB 1173: A BILL for an Act to provide a contingent appropriation to the department of human services for providing grants for home health services and hospice programs; and to provide for a report to the budget section.

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 37 YEAS, 52 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Beadle; Boe; Boschee; Delmore; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Kelsh; Kempenich; Kiefert; Lefor; Maragos; Martinson; Mitskog; Mock; Mooney; Muscha; Onstad; Oversen; Schatz; Schneider; Schreiber Beck; Seibel; Skarphol; Steiner; Strinden; Sukut; Wallman; Zubke

NAYS: Anderson, D.; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brabandt;

Brandenburg; Carlson; Delzer; Devlin; Dockter; Dosch; Froseth; Hatlestad; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyesen; Louser; Meier; Monson; Nathe; Nelson, J.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schmidt; Silbernagel; Streyle; Thoreson; Toman; Trottier; Vigesaa; Weisz

ABSENT AND NOT VOTING: Anderson, P.; Damschen; Frantsvog; Nelson, M.; Speaker Belter

Engrossed HB 1173 failed.

SECOND READING OF HOUSE BILL

HB 1295: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance benefits for family planning services; 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 NOT PASS, the roll was called and there were 22 YEAS, 66 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Amerman; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Kelsh; Mitskog; Mock; Mooney; Muscha; Onstad; Oversen; Schneider; Strinden; Wallman

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

ABSENT AND NOT VOTING: Anderson, P.; Damschen; Frantsvog; Kempenich; Nelson, M.; Speaker Belter

Engrossed HB 1295 failed.

SECOND READING OF HOUSE BILL

HB 1350: A BILL for an Act to provide for a shelter and assessment pilot project for at-risk youth; to provide an appropriation; and to provide for a report to the legislative management.

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

YEAS: Amerman; Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Boschee; Delmore; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kelsh; Kiefert; Klein; Kretschmar; Larson; Lefor; Maragos; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Porter; Sanford; Schneider; Schreiber Beck; Seibel; Strinden; Vigesaa; Wallman; Weisz

NAYS: Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Dosch; Froseth; Headland; Kading; Karls; Kasper; Keiser; Kempenich; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Looyesen; Louser; Martinson; Olson; Owens; Paur; Pollert; Rohr; Ruby; Schatz; Schmidt;

Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Zubke

ABSENT AND NOT VOTING: Anderson, P.; Damschen; Frantsvog; Nelson, M.; Speaker Belter

Engrossed HB 1350 failed.

SECOND READING OF HOUSE BILL

HB 1464: A BILL for an Act to amend and reenact subsection 2 of section 5-01-01 of the North Dakota Century Code, relating to the definition of alcohol.

ROLL CALL

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

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

NAYS: Becker, Rick C.

ABSENT AND NOT VOTING: Anderson, P.; Frantsvog; Nelson, M.; Owens; Speaker Belter

Engrossed HB 1464 passed.

SECOND READING OF HOUSE BILL

HB 1190: A BILL for an Act to amend and reenact subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for gross receipts from educational, religious, or charitable activities; 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 42 YEAS, 47 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Amerman; Beadle; Becker, Rich S.; Bellew; Boe; Boschee; Brabandt; Dosch; Fehr; Hanson; Hogan; Holman; Hunskor; Karls; Kelsh; Kiefert; Klein; Koppelman, K.; Kreidt; Larson; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Porter; Ruby; Schneider; Schreiber Beck; Seibel; Skarphol; Strinden; Sukut; Thoreson; Wallman; Weisz

NAYS: Anderson, B.; Anderson, D.; Becker, Rick C.; Boehning; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Froseth; Glassheim; Guggisberg; Haak; Hatlestad; Hawken; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Kasper; Keiser; Kempenich; Klemin; Koppelman, B.; Kretschmar; Laning; Lefor; Looyen; Louser; Mitskog; Olson; Paur; Pollert; Rohr; Sanford; Schatz; Schmidt; Silbernagel; Steiner; Streyle; Toman; Trottier; Vigasaa; Zubke

ABSENT AND NOT VOTING: Anderson, P.; Frantsvog; Nelson, M.; Owens; Speaker Belter

HB 1190 failed.

SECOND READING OF HOUSE BILL

HB 1275: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax deduction for individuals sixty-five years of age or older; 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 18 YEAS, 71 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Bellew; Boschee; Delmore; Fehr; Guggisberg; Hogan; Holman; Kasper; Kelsh; Lefor; Mock; Mooney; Muscha; Oversen; Schneider; Steiner; Thoreson; Wallman

NAYS: Amerman; Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Froseth; Glassheim; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Monson; Nathe; Nelson, J.; Olson; Onstad; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Streyle; Strinden; Sukut; Toman; Trottier; Vigesaa; Weisz; Zubke

ABSENT AND NOT VOTING: Anderson, P.; Frantsvog; Nelson, M.; Owens; Speaker Belter

HB 1275 failed.

SECOND READING OF HOUSE BILL

HB 1392: A BILL for an Act to amend and reenact sections 40-23-07 and 40-23.1-01 of the North Dakota Century Code, relating to special assessment imposition for mobile home park and single family residential property.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 77 YEAS, 10 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Beadle; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Maragos; Martinson; Meier; Mock; Mooney; Muscha; Nathe; Nelson, J.; Olson; Onstad; Oversen; Paur; Pollert; Porter; Ruby; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Zubke

NAYS: Froseth; Headland; Kading; Keiser; Klein; Louser; Mitskog; Monson; Rohr; Schatz

ABSENT AND NOT VOTING: Anderson, P.; Becker, Rich S.; Frantsvog; Nelson, M.; Owens; Weisz; Speaker Belter

HB 1392 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3021: A concurrent resolution directing the Legislative Management to study the feasibility and desirability of state payments to political subdivisions at a rate

sufficient to replace property taxes and provide voters a greater level of control in local government budget determination.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

HCR 3021 was declared lost on a voice vote.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2001, SB 2025, SB 2049, SB 2141, SB 2166, SB 2171, SB 2192, SB 2232, SB 2250, SB 2252, SB 2270, SB 2335, SB 2337, SB 2352.

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, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, February 16, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1044, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO NOT PASS** (22 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1044 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1072: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1072 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "the" with ":

a. The"

Page 1, line 23, after "category" insert: " or

b. The policy copayment, deductible, and coinsurance amounts for a month's supply of a patient-administered cancer treatment medication do not exceed one hundred dollars per filled prescription"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1101, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO PASS** (15 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1101 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1133, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1133 was placed on the Sixth order on the calendar.

Page 4, line 27, replace "10" with "5"

Page 4, line 27, replace "11" with "6"

Page 4, line 28, replace "12" with "7"

Page 4, line 28, replace "13" with "8"

Page 4, line 29, replace "4" with "1"

Page 4, line 29, replace "5" with "2"

Page 4, line 29, replace "6" with "3"

Page 4, line 29, replace "7" with "4"

Page 4, line 29, replace "14" with "9"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1138: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1138 was placed on the Sixth order on the calendar.

Page 1, line 6, after "The" insert "state of North Dakota enacts, adopts, and agrees to be bound by the"

Page 1, line 6, remove "is enacted and entered"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1154: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO NOT PASS** (15 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). HB 1154 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1232: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1232 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "approval of local road remediation plan" with "an agreement on haul roads"

Page 1, replace lines 6 through 19 with:

"County may provide agreement on haul road for township.

Upon the request of a township, a county may act for that township in making an agreement with a contractor to use a township road and to restore the township road after the contractor uses the township road for the movement of construction equipment and materials for a project. The agreement may include terms on maintenance, the inspection and recording of preexisting condition of the road, and standards for restoration."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1238: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1238 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1239: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1239 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1318: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1318 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "; to provide for a transfer;"

Page 1, line 2, remove "to provide appropriations; and to provide for a report to the budget section"

Page 1, line 11, replace "subdivisions" with "subdivision"

Page 1, line 12, after "taxes" insert ", and"

Page 1, line 18, after "assembly" insert an underscored comma

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 11 with:

- "1. The agriculture impact grant advisory committee consists of:
 - a. The director of the department of transportation;
 - b. The commissioner of commerce or the commissioner's designee;
 - c. One individual representing the North Dakota corn growers association;
 - d. One individual representing the North Dakota grain growers association; and
 - e. One individual representing the North Dakota soybean growers association.
- "2."

Page 2, line 12, after the underscored period insert:

"3."

Page 2, line 14, after the underscored period insert:

"4."

Page 3, remove lines 4 through 22

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the membership of the Agriculture Impact Grant Advisory Committee, removes the \$5 million transfer from the general fund to the agriculture impact grant fund, and removes the \$5 million appropriation from the agriculture impact grant fund to the Department of Transportation.

REPORT OF STANDING COMMITTEE

HB 1348: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1348 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "sections"

Page 1, line 2, replace "16.1-07-09 and" with "section"

Page 1, line 3, remove "and counting of absent voters' ballots"

Page 2, remove lines 3 through 27

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1391: Transportation Committee (Rep. Ruby, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1391 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1414: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1414 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1430: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1430 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, after "penalty" insert "; and to provide an effective date"

Page 1, line 9, remove "and one-half"

Page 1, line 9, after the underscored semicolon insert "or"

Page 1, line 10, remove the underscored semicolon

Page 1, remove lines 11 through 15

Page 1, line 16, remove "same property where the plants were cultivated"

Page 2, line 22, after the underscored semicolon insert "or"

Page 2, line 26, remove ";or"

Page 2, remove line 27

Page 2, line 28, remove "provided for in this chapter"

Page 2, line 31, after the underscored semicolon insert "and"

Page 3, line 1, replace "Has agreed to assist with a qualifying patient's medical use of cannabis;" with "Has agreed to be responsible for managing the well-being of a patient with a debilitating medical condition."

Page 3, remove lines 2 through 6

Page 4, line 14, remove "nonresident"

Page 4, line 15, remove "The cultivation of cannabis by a cardholder who is not designated as being"

Page 4, remove line 16

Page 4, line 17, remove "c."

Page 4, line 18, after "facility" insert: ";and

c. The smoking of cannabis"

Page 6, line 11, remove "and one-half"

Page 10, remove lines 8 through 15

Page 10, line 24, remove "Smoking cannabis."

Page 10, remove lines 25 and 26

Page 10, line 27, remove "c."

Page 12, line 15, after the underscored semicolon insert "or"

Page 12, line 16, remove "Any person in lawful possession of property to allow a guest, client, customer, or"

Page 12, remove line 17

Page 12, line 18, remove "c."

Page 15, line 21, remove "A clear indication of whether the cardholder has been designated to cultivate"

Page 15, remove line 22

Page 15, line 23, remove "g."

Page 15, line 24, replace "h." with "g."

Page 16, line 16, remove "Whether the cardholder is permitted to cultivate cannabis plants;"

Page 16, line 17 remove "e."

Page 16, line 19, replace "f." with "e."

Page 17, line 25, replace "canabis" with "cannabis"

Page 18, line 4, remove "and one-half"

Page 18, line 5, after the first underscored comma insert "or"

Page 18, line 5, remove ", six"

Page 18, line 6, remove "cannabis plants, and the cannabis produced by those plants"

Page 18, line 12, remove "and one-half"

Page 20, line 16, remove "A local government may not prohibit dispensaries, either expressly or through the"

Page 20, remove lines 17 and 18

Page 20, line 19, remove "3."

Page 22, line 1, remove "and one-half"

Page 29, after line 11, insert:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective on June 30, 2016."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1441: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1441 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "constitutional"

Page 1, line 2, after "convention" insert "of the states"

Page 1, line 7, remove "constitutional "

Page 1, line 7, after "convention" insert "of the states"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3014: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HCR 3014 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3015: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HCR 3015 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3016: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HCR 3016 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "a delegate" with "delegates"

Page 1, line 1, replace "a constitutional" with "an amendment"

Page 1, line 4, after "ruling" insert "and to provide a method for the states to appoint delegates to the amendment convention"

Page 1, line 7, replace "a constitutional" with "an amendment"

Page 1, after line 7, insert:

WHEREAS, the countermand amendment restores state sovereignty in the constitutional republic by providing state legislatures countermand authority; and

WHEREAS, state legislatures shall have the authority to countermand and rescind any congressional statute, judicial decision, executive order, treaty, government agency's regulatory ruling, or any other government or nongovernment mandate, including excessive spending and credit, imposed on them when sixty percent of state legislatures determine the law or ruling adversely affects the state's interest. When the countermand threshold has been reached, the law or ruling shall be immediately and automatically nullified and repealed; and

WHEREAS, the initial countermand is issued by a state legislature, the other legislatures have eighteen months to complete the countermand process. If the countermand process is not completed in eighteen months, then the law or ruling in question shall remain enforceable; and

WHEREAS, each state legislature must complete their countermand affidavit and deliver a certified copy to the Chief Justice of the United States Supreme Court, the leaders of the Congress of the United States, the President of the United States, and when applicable to the government agency or body being challenged; and

WHEREAS, any elected or nonelected government official, or any nongovernment individual or organization, who intentionally obstructs or prevents the implementation of any provision in this resolution is guilty of a criminal offense and is subject to impeachment and criminal prosecution; and

WHEREAS, individual states shall have the authority to prosecute violators of this resolution under state laws in the absence of federal prosecution after ninety

days from the date of the alleged violation, however multiple prosecutions for the same offense by multiple states is prohibited; and

WHEREAS, this resolution shall immediately be part of the Constitution of the United States upon ratification by three-quarters of the state legislatures; and

WHEREAS, the provisions of this article are enforceable within the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States; and"

Page 1, line 9, replace "constitutional" with "amendment"

Page 1, line 11, remove "a"

Page 1, line 12, replace "constitutional" with "an amendment"

Page 1, line 14, replace "a constitutional" with "an amendment"

Page 1, line 20, after "convened" insert "amendment"

Page 1, after line 21, insert:

WHEREAS, North Dakota's delegation must organize a republican convention with at least twenty-six other state delegations, with each state having at least one vote and a simple majority at all roll call votes; and

WHEREAS, North Dakota's delegation must follow the directives in this resolution and is bound by this resolution to vote at all state delegation roll call votes consistent with directives given to the chairman, including sending the countermand amendment to the states for ratification by the Congress of the United States; and

WHEREAS, North Dakota's delegate must attend all assigned business sessions at the amendment convention and report the results of work with other state delegates to the chairman; and"

Page 2, line 2, replace "constitutional" with "amendment"

Page 2, line 5, replace "urges" with "directs"

Page 2, line 7, after "ruling" insert "and to provide a method for the states to appoint delegates to the amendment convention"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3017: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HCR 3017 was placed on the Sixth order on the calendar.

Page 1, line 1, after the second "a" insert "countermand amendment"

Page 1, line 5, after "a" insert "countermand amendment"

Page 1, line 6, replace "amendments" with "a countermand amendment"

Page 1, line 18, replace "urges" with "directs"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3031: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HCR 3031 was placed on the

Sixth order on the calendar.

Page 1, line 1, replace "Road 2 Safety" with "Share the Road Safety"

Page 1, after line 6, insert:

"WHEREAS, local and tribal communities enjoy the economic benefits of walking, running, and bicycling events; and"

Page 1, line 8, remove "bike maintenance and repair,"

Page 1, line 14, replace "Road 2 Safety" with "Share the Road Safety "

Page 1, line 15, replace "honor" with "recognize"

Page 1, line 15, replace "automobiles" with "motor vehicles"

Page 1, line 16, remove "promote the rights of pedestrians"

Page 1, line 17, replace "and bicyclists" with "develop and promote collaborative measures focused on safety, saving lives, and preventing injury on North Dakota road systems"

Page 1, line 21, replace "Road 2 Safety" with "Share the Road Safety"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3033: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HCR 3033 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3034: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3034 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "Oregon,"

Page 1, line 8, replace "15" with "14"

Renumber accordingly

FIRST READING OF SENATE BILLS

SB 2082: A BILL for an Act to amend and reenact section 50-24.5-01 of the North Dakota Century Code, relating to eligibility for basic care assistance; and to declare an emergency.

Was read the first time and referred to the **Human Services Committee**.

SB 2121: A BILL for an Act to amend and reenact section 23-34-01 of the North Dakota Century Code, relating to medical peer review records.

Was read the first time and referred to the **Human Services Committee**.

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

Buell J. Reich, Chief Clerk