

JOURNAL OF THE HOUSE

Sixty-fourth Legislative Assembly

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Bismarck, February 9, 2015

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

The prayer was offered by Father Raphael, Corpus Christi Church, Bismarck.

The roll was called and all members were present except Representative Frantsvog.

A quorum was declared by the Acting Speaker.

SIXTH ORDER OF BUSINESS

ACTING SPEAKER DEVLIN DEEMED approval of the amendments to HB 1031, HB 1068, HB 1114, HB 1142, HB 1143, HB 1184, HB 1198, HB 1312, HB 1366, HB 1388, HB 1424, and HB 1469.

HB 1031 and HB 1388, as amended, were rereferred to the **Appropriations Committee**.

HB 1068, HB 1114, HB 1142, HB 1143, HB 1184, HB 1198, HB 1312, HB 1366, HB 1424, and HB 1469, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. VIGESAA MOVED that HB 1252, which is on the Eleventh order, be laid over one legislative day, and that HB 1269, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1435: A BILL for an Act to amend and reenact subsection 3 of section 44-04-21.2 and section 44-04-21.3 of the North Dakota Century Code, relating to the imposition of a civil penalty for violations of open records and open meetings requirements; 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 21 YEAS, 72 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brandenburg; Devlin; Dosch; Froseth; Kading; Kempenich; Kreidt; Monson; Porter; Rohr; Schatz; Seibel; Skarphol; Streyle; Thoreson; Toman; Trottier

NAYS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Boe; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Dockter; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Ruby; Sanford; Schmidt; Schneider; Schreiber Beck; Silbernagel; Steiner; Strinden; Sukut; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog

HB 1435 failed.

SECOND READING OF HOUSE BILL

HB 1175: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to permits for dredging.

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

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; 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; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; 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; Thoreson; Trottier; Vigesaa; Wallman; Zubke; Speaker Belter

NAYS: Boe; Brabandt; Delzer; Nelson, M.; Toman; Weisz

ABSENT AND NOT VOTING: Frantsvog

Engrossed HB 1175 passed.

MOTION

REP. VIGESAA MOVED that a committee of two be appointed to escort Master Chief Petty Officer, Tim Preabt, to the podium, which motion prevailed. Acting Speaker Devlin appointed Reps. Amerman and Bellew to the escort committee.

REMARKS OF MASTER CHIEF PETTY OFFICER, TIM PREABT

Mr. Speaker, Members of the House of Representatives:

I bring you greetings from our Commanding Officer, Captain Douglas V. Gordon and the entire crew of the USS NORTH DAKOTA.

Presenting this report on the current status of our boat, you bestow a great honor upon me and those who serve on the USS NORTH DAKOTA, and I am deeply honored.

I was born in Minot and grew up in Williston and Mandan. As a boy, when we traveled out of state, I was always taken back a bit when people – looking at our license plate – would ask, "Where's North Dakota, and what's in North Dakota?"

Well, I'm here to tell you – traveling throughout the world – people sure know about North Dakota today!

People know North Dakota is at the forefront of making our nation energy independent. They're aware of our tremendous contribution to food production – and NOW, they are aware of the awesome power North Dakota represents in our national security, with the commissioning of the USS NORTH DAKOTA – the most modern and lethal attack submarine the world has yet to see.

I am here to tell you now, the USS NORTH DAKOTA is already legendary because of all your substantial and loyal support. Captain Gordon and our entire crew very much appreciate all you have done for us.

Many Navy officers and sailors have seen warships commissioned, but I join with Captain Gordon and our entire crew in declaring we have never seen more namesake state support for any commissioning.

Your support as legislators, the tireless work of the people of North Dakota, and the excellent planning of the USS NORTH DAKOTA Committee made our October 25th commissioning an outstanding success!

We were all pleased so many North Dakotans enthusiastically and proudly came out for the commissioning. Everything was perfect, and of course the good weather you North Dakotans brought us really helped. All of us and our families and friends were honored and pleased with the wonderful party you hosted for us that evening after our commissioning.

Our crew was proud to provide a thorough tour of our boat to all those who wanted to see the workings of their attack sub. I know many North Dakotans spent an hour or more on their tours, and we enjoyed showing off what a great boat we have!

Your USS NORTH DAKOTA is now training and conducting exercises to work up for her first deployment. Rest assured NORTH DAKOTA will serve with distinction, and she will reap any threats from the deep. Through you and the great people of North Dakota, your boat will continue to draw strength from the soil.

May we always mutually cherish and support strong links binding NORTH DAKOTA with her namesake – the people and the State of North Dakota. Your continuing support throughout NORTH DAKOTA's 33 years of expected service life will inspire every submarine sailor who will sail with her into harm's way.

In token of our appreciation for your strong and loyal support, and on behalf of Captain Gordon and his crew, I am pleased to present you with this Honorary Plank Owner plaque. This plaque carries on a great Navy tradition from the days of wooden warships in which the first crew members of every US Navy warship were said to each own a plank of the ship. You have earned the proud ownership of one of our "planks."

Again, it is a great honor for me to serve as a submarine sailor in the United States Navy, and an even greater honor to have served as the first Chief of the Boat of the second warship named for our great state – the USS NORTH DAKOTA.

Thank you.

MOTION

REP. VIGESAA MOVED that the remarks of Master Chief Petty Officer, Tim Preabt, be printed in the journal, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1413: A BILL for an Act to create and enact a new chapter to title 15 of the North Dakota Century Code, relating to the creation of a veteran scholarship program; and to provide an 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 27 YEAS, 66 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Beadle; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hogan; Holman; Hunskor; Johnson, M.; Kelsh; Larson; Martinson; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Porter; Schneider; Strinden; Wallman

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

ABSENT AND NOT VOTING: Frantsovog

Engrossed HB 1413 failed.

SECOND READING OF HOUSE BILL

HB 1228: A BILL for an Act to amend and reenact subsection 6 of section 57-38-01.8 of the North Dakota Century Code, relating to the carryforward period for excess geothermal, solar, wind, or biomass energy device income tax credits; 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 74 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, K.; Kretschmar; Laning; Larson; Lefor; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Onstad; Oversen; Owens; Paur; Pollert; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Trottier; Vigesaa; Weisz; Zubke

NAYS: Becker, Rick C.; Bellew; Brabandt; Dosch; Kading; Karls; Klein; Koppelman, B.; Kreidt; Nelson, M.; Olson; Porter; Rohr; Ruby; Schatz; Schmidt; Toman; Wallman; Speaker Belter

ABSENT AND NOT VOTING: Frantsovog

Engrossed HB 1228 passed.

SECOND READING OF HOUSE BILL

HB 1370: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to mammogram result notices and the notification of registered owners of mammography equipment; to provide an expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Boschee; Brabandt; 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; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Becker, Rick C.; Bellew; Brandenburg; Kempenich; Olson; Paur; Ruby; Skarphol

ABSENT AND NOT VOTING: Frantsovog

Engrossed HB 1370 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL**HB 1410:** A BILL for an Act to provide an appropriation for head start programs.**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 64 YEAS, 29 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Damschen; Delmore; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kasper; Keiser; Kelsh; Kiefert; Klemin; Koppelman, K.; Kretschmar; Larson; Lefor; Looyesen; Maragos; Martinson; Meier; Mitskog; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Porter; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Strinden; Sukut; Thoreson; Trottier; Wallman; Weisz; Zubke

NAYS: Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dosch; Headland; Kading; Karls; Kempenich; Klein; Koppelman, B.; Kreidt; Laning; Louser; Monson; Olson; Pollert; Rohr; Ruby; Schmidt; Skarphol; Streyle; Toman; Vigasaa; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog

Engrossed HB 1410 passed.

SECOND READING OF HOUSE BILL

HB 1129: A BILL for an Act to amend and reenact section 54-60.2-02 of the North Dakota Century Code, relating to workforce development grants for tribally controlled community colleges; 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 91 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; 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; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Brabandt; Damschen

ABSENT AND NOT VOTING: Frantsvog

Engrossed HB 1129 passed.

SECOND READING OF HOUSE BILL

HB 1311: A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to electronic delivery of property and casualty insurance notices and documents.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; 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; 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; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsovog

Engrossed HB 1311 passed.

SECOND READING OF HOUSE BILL

HB 1365: A BILL for an Act to amend and reenact subsection 2 of section 26.1-39-13, subsection 1 of section 26.1-39-16, and section 26.1-40-07 of the North Dakota Century Code, relating to proof of mailing of insurance notices.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; 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; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Paur; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Becker, Rick C.; Owens; Ruby

ABSENT AND NOT VOTING: Frantsovog

Engrossed HB 1365 passed.

SECOND READING OF HOUSE BILL

HB 1384: A BILL for an Act to create and enact chapter 26.1-26.7 of the North Dakota Century Code, relating to portable electronics insurance.

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 79 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Boschee; Brandenburg; Carlson; Delmore; Devlin;

Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Looyesen; Louser; Maragos; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Strinden; Sukut; Thoreson; Toman; Vigasaa; Wallman; Zubke

NAYS: Bellew; Brabandt; Damschen; Delzer; Hogan; Karls; Lefor; Martinson; Owens; Steiner; Streyle; Trottier; Weisz; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog

Engrossed HB 1384 passed.

SECOND READING OF HOUSE BILL

HB 1040: A BILL for an Act to amend and reenact sections 25-03.1-02, 25-03.1-04, 25-03.1-06, 25-03.1-07, 25-03.1-08, 25-03.1-10, 25-03.1-11, 25-03.1-16, 25-03.1-17, 25-03.1-18.1, and 25-03.1-19, subsection 3 of section 25-03.1-21, and sections 25-03.1-23, 25-03.1-25, 25-03.1-26, 25-03.1-27, 25-03.1-41, and 25-03.1-42 of the North Dakota Century Code, relating to scope of practice in involuntary commitment proceedings; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; 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; 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; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog

Engrossed HB 1040 passed.

SECOND READING OF HOUSE BILL

HB 1210: A BILL for an Act to create and enact subsection 4 of section 27-20-13 and subdivision g of subsection 1 of section 27-20-30 of the North Dakota Century Code, relating to time for beneficial transition of a child to or from temporary legal custody; and to amend and reenact subdivision d of subsection 1 of section 27-20-30 of the North Dakota Century Code, relating to the option of court-ordered rehabilitative programming for the parents, guardian, or other custodian of a deprived child.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; 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; 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; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog

Engrossed HB 1210 passed.

SECOND READING OF HOUSE BILL

HB 1439: A BILL for an Act to create and enact section 50-06.3-04.1 of the North Dakota Century Code, relating to delinquent charges for care and treatment at the state hospital.

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

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

NAYS: Anderson, B.; Anderson, D.; 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.; Kading; Karls; Keiser; Kempenich; 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; Vigasaa; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog

HB 1439 failed.

SECOND READING OF HOUSE BILL

HB 1352: A BILL for an Act to repeal section 4 of chapter 496 of the 2011 Session Laws, relating to eliminating the expiration date for special assessments for irrigation by the Garrison diversion conservancy district.

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 85 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; 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; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Paur; Pollert; Porter; Rohr;

Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Zubke; Speaker Belter

NAYS: Beadle; Becker, Rick C.; Bellew; Damschen; Owens; Ruby; Streyle; Weisz

ABSENT AND NOT VOTING: Frantsvog

HB 1352 passed.

SECOND READING OF HOUSE BILL

HB 1356: A BILL for an Act to amend and reenact subdivision c of subsection 17 of section 20.1-02-05, sections 20.1-02-28 and 20.1-05-02 of the North Dakota Century Code, relating to depredation prevention by landowners.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; 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; 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; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog

HB 1356 passed.

SECOND READING OF HOUSE BILL

HB 1379: A BILL for an Act to create and enact a new subsection to section 55-01-02 of the North Dakota Century Code, relating to Yellowstone-Missouri Rivers confluence projects; and to repeal chapter 55-06 of the North Dakota Century Code, relating to the Yellowstone-Missouri Rivers confluence commission.

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 92 YEAS, 1 NAYS, 0 EXCUSED, 1 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; 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; 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; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

NAYS: Strinden

ABSENT AND NOT VOTING: Frantsvog

HB 1379 passed.

SECOND READING OF HOUSE BILL

HB 1381: A BILL for an Act to amend and reenact section 20.1-01-31 of the North Dakota Century Code, relating to interference with the taking of wildlife.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; 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; 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; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog

HB 1381 passed.

SECOND READING OF HOUSE BILL

HB 1400: A BILL for an Act to provide for the purchase of inundated land under a terminal lake.

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

YEAS: Strinden

NAYS: 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; 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; 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; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

ABSENT AND NOT VOTING: Frantsvog

HB 1400 failed.

SECOND READING OF HOUSE BILL

HB 1470: A BILL for an Act to amend and reenact section 15.1-07-20 of the North Dakota

Century Code, relating to physicals for school vehicle drivers.

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 78 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Anderson, D.; Bellew; Brabandt; Delzer; Devlin; Dosch; Glassheim; Johnson, M.; Kasper; Keiser; Monson; Rohr; Schatz; Thoreson; Toman

ABSENT AND NOT VOTING: Frantsvog

HB 1470 passed.

MOTION

REP. VIGESAA MOVED that House Rule 329, Paragraph 4, be suspended temporarily, replacing twenty-fifth legislative day with twenty-eighth legislative day, which motion prevailed.

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: HB 1074.

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: HB 1385.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2072, SB 2073, SB 2168, SB 2234, SB 2262, SB 2285, SB 2325, SCR 4005, SCR 4017.

MOTION

REP. VIGESAA MOVED that the absent member 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., Tuesday, February 10, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1076: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1076 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1090: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1090 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1112: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends

DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1112 was placed on the Sixth order on the calendar.

Page 1, line 21, after "dollars" insert "and a maximum amount available per biennium of three million dollars"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1154: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1154 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1193: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1193 was placed on the Sixth order on the calendar.

Page 2, line 4, remove "Any security that is a revenue obligation of any state or local government"

Page 2, remove lines 5 and 6

Page 2, line 7, replace "(3) A general" with "An"

Page 2, line 7, remove "a moral"

Page 2, line 8, remove "obligation of the state and is"

Page 2, line 8, replace "three" with "two"

Page 2, line 10, replace "(4)" with "(3)"

Page 2, line 10, replace "an" with "a general"

Page 2, line 12, replace "(5)" with "(4)"

Page 2, line 12, replace "the" with "this"

Page 2, line 12, after "and" insert "general obligations of"

Page 2, line 13, remove "two"

Page 2, line 14, replace "categories" with "category"

Page 2, remove lines 16 through 22

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1197: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1197 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "conservation" with "real property and"

Page 1, line 1, after "easements" insert "for wildlife or conservation purposes"

Page 1, line 5, replace "conservation" with "certain real property and"

Page 1, line 7, replace "purchase" with "purpose"

Page 1, line 7, after "of" insert "holding"

Page 1, line 8, after "property" insert "or an easement longer than thirty years"

Page 1, line 8, remove ", including a wildlife or wetland easement"

Page 1, line 8, after the underscored period insert "This section does not apply to a state governmental entity in a partnership with a nongovernmental entity, if the state governmental entity derives a benefit from the partnership."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1200: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO NOT PASS** (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HB 1200 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1217: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1217 was placed on the Sixth order on the calendar.

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

Page 1, line 1, remove ", subsection 2 of section 14-07.1-01,"

Page 1, line 2, remove "section"

Page 2, remove lines 3 through 9

Page 2, line 18, overstrike "that the" and insert immediately thereafter ":

a. The"

Page 2, line 20, remove "the notice"

Page 2, line 20, overstrike ", the" and insert immediately thereafter ":

- (1) A court order, protection order, restraining order, or other record filed with a court;
- (2) A police or law enforcement record;
- (3) A medical record indicating domestic violence or sexual assault; or
- (4) A written affidavit provided by an individual who has assisted the tenant in dealing with domestic violence or sexual assault and who is a:
 - (a) Licensed counselor;
 - (b) Licensed social worker;
 - (c) Member of the clergy;
 - (d) Director or domestic violence advocate at a domestic violence sexual assault organization as defined in section 14-07.1-01; or
 - (e) Licensed attorney;

b. The"

Page 2, line 21, overstrike the comma and insert immediately thereafter an underscored semicolon

Page 2, line 21, after "and" insert:

"c. The"

Page 2, line 21, after the period insert:

"3."

Page 2, line 25, overstrike "3." and insert immediately thereafter "4."

Page 2, line 30, overstrike "4." and insert immediately thereafter "5."

Page 3, line 4, overstrike "5." and insert immediately thereafter "6."

Page 3, line 7, overstrike "6." and insert immediately thereafter "7."

Page 3, line 12, overstrike "7." and insert immediately thereafter "8."

Page 3, line 19, overstrike "8." and insert immediately thereafter "9."

Page 3, line 21, overstrike "9." and insert immediately thereafter "10."

Page 3, line 25, overstrike "10." and insert immediately thereafter "11."

Page 3, remove lines 28 and 29

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1224: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1224 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1242: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1242 was placed on the Sixth order on the calendar.

Page 2, line 11, overstrike "Except as provided in"

Page 2, line 11, remove "subsection 6"

Page 2, line 11, overstrike ", for" and insert immediately thereafter "For"

Page 2, line 22, replace "two" with "three"

Page 3, line 14, overstrike "On a highway on which the speed limit is posted in excess of"

Page 3, line 14, remove "fifty-five"

Page 3, line 14, overstrike "miles"

Page 3, line 15, overstrike "[104.61"

Page 3, line 15, remove "88.51"

Page 3, line 15, overstrike "kilometers] an hour"

Page 3, line 15, remove ", but lower than seventy miles [112.65 kilometers] an"

Page 3, line 16, remove "hour"

Page 3, line 16, overstrike ", for a violation of section 39-09-02, or equivalent ordinance, a fee of"

Page 3, line 16, remove "four"

Page 3, line 17, overstrike "dollars for each mile"

Page 3, line 17, remove "an"

Page 3, line 17, overstrike "hour over the limit."

Page 3, line 17, remove "On a highway on which the speed limit"

Page 3, remove lines 18 through 20

Page 3, line 21, remove "7."

Page 3, line 26, replace "8." with "7."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1245: 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 1245 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 40-08-24, 40-08-26, and"

Page 1, line 2, after the first "the" insert "enforcement of city ordinances and the"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 40-08-24 of the North Dakota Century Code is amended and reenacted as follows:

40-08-24. Ordinance or resolution signed or vetoed by mayor.

The mayor shall sign or veto each ordinance or resolution passed by the council. Any action vetoed by the mayor may be overridden by the city council as provided under section 40-11-05.

SECTION 2. AMENDMENT. Section 40-08-26 of the North Dakota Century Code is amended and reenacted as follows:

40-08-26. Mayor may call on ~~male inhabitants~~residents to aid in enforcing ordinances.

When necessary, the mayor may call on each ~~male inhabitant~~resident of the city over the age of eighteen years to aid in enforcing the laws and ordinances of the city."

Page 1, line 21, after "Any" insert "veto of an"

Page 1, line 22, remove "or resolution"

Page 1, line 22, overstrike "which has been vetoed in whole or in part" and insert immediately thereafter "or resolution"

Page 1, line 22, overstrike "reconsidered" and insert immediately thereafter "overridden"

Page 1, line 23, overstrike "and"

Page 1, line 23, remove "the"

Page 1, line 23, overstrike "ordinance"

Page 1, line 23, remove "or resolution"

Page 1, line 23, overstrike the second comma

Page 1, line 24, after "be" insert "a motion to override the veto. Upon such action."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1250: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1250 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "board" with "boards"

Page 2, line 2, after "body" insert ", or a link to the governing body's website, if the governing body's website provides substantially similar information."

Page 2, line 4, after "4." insert "Minutes must remain on the website for one year after the date of publication on the website."

5."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1258: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1258 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of extraterritorial zoning."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - EXTRATERRITORIAL ZONING. During the 2015-16 interim, the legislative management shall consider studying the utilization and enforcement of extraterritorial zoning. The study must include a review of zoning ordinances, building codes, health codes, and nuisance abatement policies, and how the enforcement of such regulations can be adequately addressed through extraterritorial zoning authority. The legislative management shall report its findings and recommendations, along with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1259: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1259 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1284: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1284 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1291: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1291 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1332: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1332 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1333: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1333 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1343: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1343 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1345: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1345 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1358: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1358 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 38-08 and a new subsection to section 38-08-26 of the North Dakota Century Code, relating to relating to the operation of underground gathering pipelines and the sharing of information by a surface owner; to"

Page 1, line 1, after "reenact" insert "subdivisions d and l of subsection 1 of section 38-08-04, subsection 6 of section 38-08-04, and"

Page 1, line 2, after "to" insert " an exception to confidentiality of well data, to underground gathering pipeline bonds, to temporarily abandoned status, and"

Page 1, line 2, replace the second "and" with "to provide a report to the legislative management; to provide a transfer;"

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

Page 1, after line 4, insert:

"SECTION 1. A new section to chapter 38-08 of the North Dakota Century Code is created and enacted as follows:

Controls, inspections, and engineering design on crude oil and produced water underground gathering pipelines.

The operator of an underground gathering pipeline designed or intended to transfer oil or produced water from a production facility for disposal, storage, or sale purposes and placed into service after August 1, 2015, shall file with the commission engineering design drawings and a certificate of inspection from a qualified third party for the underground gathering pipeline. The commission shall require the operator of the pipeline to install flow meters and overpressure protection devices designated by the commission or the commission may require alternative leak detection and monitoring technologies be installed by the operator of these pipelines."

Page 2, line 13, replace "three" with "one"

Page 2, line 13, after "million" insert "five hundred thousand"

Page 2, line 15, remove "For administrative expenses and cost in developing an abandoned site"

Page 2, line 16, replace "reclamation plan and the program." with "Research and demonstration projects for the development of reclamation and water quality control program methods and techniques for oil and gas development, including related pipelines and facilities."

Page 2, line 17, remove "For the protection of public health, safety, and general welfare."

Page 2, line 18, remove "(3)"

Page 2, line 20, remove "The restoration may include measures for the conservation and"

Page 2, remove lines 21 through 29

Page 2, line 30, replace "(6)" with "(3)"

Page 2, after line 31, insert:

"(4) For administrative expenses and cost in developing an abandoned site reclamation plan and the program."

Page 3, after line 8, insert:

"SECTION 3. AMENDMENT. Subdivision d of subsection 1 of section 38-08-04 of the North Dakota Century Code is amended and reenacted as follows:

- d. The furnishing of a reasonable bond with good and sufficient surety, conditioned upon the full compliance with this chapter, and the rules and orders of the industrial commission, including without limitation a bond covering the operation of any underground gathering pipeline intended to transfer oil or produced water from a production facility for disposal, storage, or sale purposes, except that if the commission requires a bond to be furnished, the person required to furnish the bond may elect to deposit under such terms and conditions as the industrial commission may prescribe a collateral bond, self-bond, cash, or any alternative form of security approved by the commission, or combination thereof, by which an operator assures faithful performance of all requirements of this chapter and the rules and orders of the industrial commission.

SECTION 4. AMENDMENT. Subdivision l of subsection 1 of section 38-08-04 of the North Dakota Century Code is amended and reenacted as follows:

- l. The placing of wells in abandoned-well status which have not produced oil or natural gas in paying quantities for one year. A well in abandoned-well status must be promptly returned to production in paying quantities, approved by the commission for temporarily abandoned status, or plugged and reclaimed within six months. A surface owner may request a review of the temporarily abandoned status of a well that has been on temporarily abandoned status for at least seven years. The commission shall require notice and hearing to review the temporarily abandoned status. After notice and hearing, the surface owner may request a review of the temporarily abandoned status every two years. If none of the three preceding conditions are met, the industrial commission may require the well to be placed immediately on a single-well bond in an amount equal to the cost of plugging the well and reclaiming the well site. In setting the bond amount, the commission shall use information from recent plugging and reclamation operations. After a well has been in abandoned-well status for one year, the well's equipment, all well-related equipment at the well site, and salable oil at the well site are subject to forfeiture by the commission. If the commission exercises this authority, section 38-08-04.9 applies. After a well has

been in abandoned-well status for one year, the single-well bond referred to above, or any other bond covering the well if the single-well bond has not been obtained, is subject to forfeiture by the commission.

SECTION 5. AMENDMENT. Subsection 6 of section 38-08-04 of the North Dakota Century Code is amended and reenacted as follows:

6. To provide for the confidentiality of well data reported to the commission if requested in writing by those reporting the data for a period not to exceed six months. However, the commission shall release:
 - a. Volumes injected from a saltwater injection well.
 - b. Information from the spill report on a well on a site at which more than ten barrels of fluid, not contained on the well site, was released for which an oilfield environmental incident report is required by law.

SECTION 6. A new subsection to section 38-08-26 of the North Dakota Century Code is created and enacted as follows:

The surface owner may share information contained in the geographic information system database.

SECTION 7. TRANSFER - ABANDONED OIL AND GAS WELL PLUGGING AND SITE RECLAMATION FUND TO OIL AND GAS RESEARCH FUND - PRODUCED WATER PIPELINE STUDY - REPORT TO LEGISLATIVE MANAGEMENT. The director of the office of management and budget shall transfer the sum of \$1,500,000 from the abandoned oil and gas well plugging and site reclamation fund to the oil and gas research fund for the purpose of funding a special project through the energy and environmental research center at the university of North Dakota during the biennium beginning July 1, 2015, and ending June 30, 2017. The special project must focus on conducting an analysis of produced water pipelines including the construction standards, depths, pressures, monitoring systems, maintenance, types of materials used in the pipeline including backfill, and an analysis of the ratio of spills and leaks occurring in this state in comparison to other large oil and gas-producing states with substantial volumes of produced water. The industrial commission shall contract with the energy and environmental research center to compile the information and the center shall work with the department of mineral resources to analyze the existing regulations on construction and monitoring of produced water pipelines and provide a report with recommendations to the industrial commission and the energy development and transmission committee by December 1, 2015. The industrial commission shall adopt the necessary administrative rules necessary to improve produced water pipeline safety and integrity. In addition, the industrial commission shall contract for a pilot project on pipeline flow monitoring to evaluate a working leak detection system."

Page 3, line 11, replace "\$2,500,000" with "\$500,000"

Page 3, after line 16, insert:

"SECTION 9. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1360: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1360 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the first "and"

Page 1, line 4, after "registration" insert "; and to provide a contingent effective date"

Page 1, line 12, replace "twenty" with "twenty-five"

Page 1, line 12, replace "ten" with "twenty"

Page 1, line 13, replace "ten" with "five"

Page 1, line 18, remove "The department shall report to the legislative assembly on the funds collected"

Page 1, line 19, remove "under this section during each legislative session."

Page 2, line 2, after the first underscored comma insert "or"

Page 2, line 2, remove ", and other decal plates as approved by the state"

Page 2, line 3, remove "department of veterans' affairs"

Page 2, line 13, after "display" insert "either"

Page 2, line 13, replace "of the veteran's choice" with "or a standard plate that does not identify the veteran as a veteran or disabled veteran"

Page 2, after line 19, insert:

"SECTION 3. CONTINGENT EFFECTIVE DATE. This Act is effective on the date the director of the department of transportation certifies to the secretary of state that the new motor vehicle registration software for the department is installed and functioning and not earlier than January 1, 2016."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1390: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1390 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact section 23-29-04.2 of the North Dakota Century Code, relating to licensing of commercial oilfield special waste recyclers of oilfield special waste from oil and gas drilling and production operations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 23-29-04.2 of the North Dakota Century Code is created and enacted as follows:

23-29-04.2. Commercial oilfield special waste recyclers - Action against well operators restricted.

The state department of health shall license commercial oilfield special waste recyclers and may charge a license fee established by rule commensurate with the cost to the department of licensing and inspections. As a condition of obtaining and maintaining a license, a commercial oilfield special waste recycler and each recycling facility licensed under this chapter must extract and convert to a beneficial use at least sixty-five percent by weight of the solid oilfield special waste received by the recycler or recycling facility.

The health council shall adopt rules under chapter 28-32 governing operations of commercial oilfield special waste recyclers. The rules must be adopted to assure compliance with federal and state laws and rules for protection of the

state's water and air and public health in the handling and subsequent use of oilfield special waste.

1. Upon presentation of official credentials, an employee authorized by the state department of health may:
 - a. Examine the premises and facilities and copy books, papers, records, memoranda, or data of a commercial oilfield special waste recycler.
 - b. Enter upon public or private property for the purpose of taking action authorized by this chapter and rules adopted under this chapter, including obtaining information from any person, conducting surveys and investigations, and taking corrective action.
 - c. The commercial oilfield special waste recycler is liable for the cost of any inspection and corrective action required by the state department of health.
2. As a condition of licensure, the state department of health may require that a commercial oilfield special waste recycler must post a bond payable to the state in a sufficient amount for remediation of any release or disposal of oilfield special waste in violation of the rules of the department, on the premises or property of the facility or at a place where treated or untreated materials from the facility are taken for use or disposal.
3. As used in this section:
 - a. "Commercial oilfield special waste recycler" means a commercial recycling facility licensed under this chapter for extraction of reusable solids and fluids from any or all types of oilfield special waste.
 - b. "Drilling operation" means oil and gas drilling and production operations and any associated activities that generate oilfield special waste.
 - c. "Oilfield special waste" means waste associated with oil and gas drilling operations, exploration, development, or production and specifically includes drill cuttings, saltwater, and other solids and fluids from drilling operations.
4. Upon delivery of oilfield special waste to a commercial oilfield special waste recycler, which is licensed under this section and is not affiliated with the well operator; acceptance of the oilfield special waste by the recycler; and after the oilfield special waste has been treated and converted to a beneficial use as a usable product or legitimate substitute for a usable product, the well operator is not liable in any civil or criminal action for any subsequent claim or charge regarding the material converted to a beneficial use.

SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the state department of health for the purpose of increased staffing needs to assist in completion of the department's duties to develop and adopt rules, conduct inspections, and perform other duties under section 23-29-04.2, for the biennium beginning July 1, 2015, and ending June 30, 2017. The state department of health is authorized one full-time equivalent position for this purpose."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1395: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1395 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of an emergency information program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY. During the 2015-16 interim, the legislative management shall consider studying the benefit a statewide emergency information program would have on the current 911 and emergency services communication systems. An emergency information program is a supplemental 911 and emergency management database that would be used in emergency scenarios and allow for the collection of a variety of formatted data relevant to 911, emergency management, and other public safety agencies. The study must include a review of any gap in the efficiency and services provided by the current 911 and emergency services communication systems employed in this state, and the technological advances and the needs of the residents of this state. The study may include research into the degree that a statewide emergency information program could benefit the current 911 and emergency services communication systems by filling current gaps, addressing school safety concerns and the unique challenges presented by the rapidly expanding western portion of our state due to oil activity, and promoting the health and welfare of our state. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1398: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1398 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1415: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1415 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide legislative intent.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE INTENT - FARGO FLOOD CONTROL PROJECT FUNDING. It is the intent of the sixty-fourth legislative assembly that the state provide one-half of the local cost-share of Fargo flood control projects, including constructing a federally authorized Fargo flood control project and that total Fargo flood control project funding to be provided by the state not exceed \$570,000,000. It is further the intent of the sixty-fourth legislative assembly that the state water commission reallocate water project funding within its 2015-17 biennium appropriation as necessary to provide funding for eligible Fargo flood control project commitments."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1425: Education Committee (Rep. Nathe, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1425 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1432: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1432 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "litigation"

Page 1, line 8, remove "litigation"

Page 1, line 11, remove "The attorney general."

Page 1, line 12, remove "d."

Page 1, line 13, replace "e." with "d."

Page 1, after line 13, insert:

"e. One individual appointed by the North Dakota stockmen's association"

Page 1, line 14, replace "utilization council" with "growers association"

Page 1, line 15, replace "council" with "growers association"

Page 2, line 9, after "in" insert "administrative or judicial matters, including"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1446: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1446 was placed on the Sixth order on the calendar.

Page 1, line 1, after "17-10" insert "and subsection 9 to section 39-12-05.3"

Page 1, line 2, after "stations" insert "and weight limitations for natural gas vehicles"

Page 2, after line 3, insert:

"SECTION 2. Subsection 9 to section 39-12-05.3 of the North Dakota Century Code is created and enacted as follows:

9. A vehicle or combination of vehicles that uses natural gas as the primary fuel may operate with an additional two thousand five hundred pounds [1133.98 kilograms]. The additional pounds may be solely for gross weight limits above the legal weight limits."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1458: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1458 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1467: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1467 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3018: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HCR 3018 was placed on the Sixth order on the calendar.

Page 1, line 22, after "Delegation" insert ", to the Majority Leader and Minority Leader of the United States Senate, and to the Majority Leader and Minority Leader of the United States House of Representatives"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3023: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3023 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3027: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HCR 3027 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Boschee, Haak, D. Johnson, Kiefert, Larson, Schmidt and Sens. Anderson, Laffen, Luick, Mathern, Miller, Oban introduced:

HCR 3037: A concurrent resolution directing the Legislative Management to study the current laws and rules relating to the sale of homemade food and homegrown produce and the policies and practices of local public health units and the State Department of Health regarding these sales and whether steps can be taken to make these policies more uniform throughout the state.

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