

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

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Bismarck, March 13, 2015

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

The prayer was offered by Pastor Keith Becker, Hope Church, Grand Forks.

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

A quorum was declared by the Speaker.

## MOTION

**REP. VIGESAA MOVED** that SB 2351, as amended, which is on the Fourteenth order, be rereferred to the **Agriculture Committee** for further consideration, which motion prevailed. Pursuant to Rep. Vigesaa's motion, SB 2351, as amended, was rereferred.

## REQUEST

**REP. SKARPHOL REQUESTED** debate on the amendments to HCR 3022 on the Sixth order, which request was granted.

## SIXTH ORDER OF BUSINESS

**SPEAKER BELTER DEEMED** approval of the amendments to HCR 3046, HCR 3052, Engrossed SB 2052, Engrossed SB 2066, Engrossed SB 2259, and Engrossed SB 2324.

HCR 3046 and HCR 3052, as amended, were placed on the Tenth order of business on the calendar for the succeeding legislative day.

Engrossed SB 2052, Engrossed SB 2066, Engrossed SB 2259, and Engrossed SB 2324, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## SIXTH ORDER OF BUSINESS

## REQUEST

**REP. MOCK REQUESTED** a verification vote on the amendments for HCR 3022, which request was granted.

The proposed amendments to HCR 3022 failed on a verification vote.

## MOTION

**REP. VIGESAA MOVED** that that Rule 601(3d) be suspended to act on HCR 3022 on the Eleventh order immediately, which motion prevailed.

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3022:** A concurrent resolution to amend and reenact section 23 of article I of the Constitution of North Dakota, relating to the rejection of unconstitutional federal actions.

## ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 61 YEAS, 30 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Headland; Hofstad; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Klein; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Looyen; Louser; 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; Speaker Belter

**NAYS:** Amerman; Anderson, D.; Anderson, P.; Beadle; Boe; Boschee; Delmore; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Kelsh; Klemin; Kretschmar; Larson; Maragos; Martinson; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Wallman

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Strinden

HCR 3022 was declared adopted on a recorded roll call vote.

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### SECOND READING OF SENATE BILL

**SB 2092:** A BILL for an Act to amend and reenact subsection 1 of section 15.1-12-10 and section 15.1-12-14 of the North Dakota Century Code, relating to the content of a school district reorganization plan and school board authority following approval of a reorganization plan.

### 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, 0 NAYS, 0 EXCUSED, 3 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; 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; Kiefert; Strinden

Engrossed SB 2092, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2209:** A BILL for an Act to amend and reenact section 15.1-19-24 of the North Dakota Century Code, relating to youth suicide prevention training.

### 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, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; 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; 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.; 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

**NAYS:** Becker, Rick C.; Bellew; Damschen; Olson

**ABSENT AND NOT VOTING:** Frantsovog; Kiefert; Strinden

Engrossed SB 2209, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2143:** A BILL for an Act to amend and reenact subsection 5 of section 57-15-56 of the North Dakota Century Code, relating to matching grants to counties for senior citizen services and programs; 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 69 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Boschee; Carlson; Damschen; Delmore; Devlin; Dockter; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Kasper; Kelsh; Kempenich; Klein; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looysen; Maragos; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Rohr; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Skarphol; Steiner; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Becker, Rick C.; Bellew; Brabandt; Brandenburg; Delzer; Dosch; Karls; Keiser; Klemin; Koppelman, B.; Laning; Louser; Martinson; Meier; Olson; Paur; Pollert; Porter; Ruby; Schatz; Silbernagel; Streyle

**ABSENT AND NOT VOTING:** Frantsovog; Kiefert; Strinden

Engrossed SB 2143, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2034:** A BILL for an Act to create and enact section 57-39.2-04.13 and a new subdivision to subsection 4 of section 57-40.2-03.3 of the North Dakota Century Code, relating to a sales and use tax exemption for materials used in transmission of oil through gathering lines; and to provide an expiration 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 0 YEAS, 90 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**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; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looysen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; 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

**ABSENT AND NOT VOTING:** Frantsovog; Kiefert; Nathe; Strinden

Engrossed SB 2034 failed.

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**SECOND READING OF SENATE BILL**

**SB 2042:** 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 income tax deduction for retired military personnel pay; 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 34 YEAS, 56 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, P.; Bellew; Boe; Boschee; Delmore; Dockter; Guggisberg; Haak; Hawken; Hogan; Holman; Hunskor; Johnson, M.; Kading; Karls; Kasper; Kelsh; Larson; Maragos; Mitskog; Mock; Mooney; Muscha; Onstad; Oversen; Porter; Schatz; Schneider; Silbernagel; Streyle; Thoreson; Toman; Wallman

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dosch; Fehr; Froseth; Glassheim; Hanson; Hatlestad; Headland; Hofstad; Johnson, D.; Keiser; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Lefor; Looyesen; Louser; Martinson; Meier; Monson; Nelson, J.; Nelson, M.; Olson; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schmidt; Schreiber Beck; Seibel; Skarphol; Steiner; Sukut; Trottier; Vigasaa; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Nathe; Strinden

Engrossed SB 2042 failed.

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**SECOND READING OF SENATE BILL**

**SB 2069:** A BILL for an Act to amend and reenact subsection 2 of section 57-38-59.4 of the North Dakota Century Code, relating to the tax base and rate of withholding for recipients of oil and gas royalty payments; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 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; 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

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Strinden

SB 2069 passed.

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**SECOND READING OF SENATE BILL**

**SB 2094:** A BILL for an Act to amend and reenact section 57-39.2-04.3 of the North Dakota Century Code, relating to a sales tax exemption for molds used in manufacturing; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 59 YEAS, 32 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Bellew; Boe; Boehning; Boschee; Damschen; Delmore; Devlin; Fehr; Froseth; Glassheim; Guggisberg; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Keiser; Kempenich; Klein; Klemin; Koppelman, K.; Kreidt; Kretschmar; Laning; Lefor; Maragos; Martinson; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, J.; Onstad; Oversen; Owens; Paur; Porter; Sanford; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Sukut; Trottier; Weisz

**NAYS:** Amerman; Becker, Rick C.; Brabandt; Brandenburg; Carlson; Delzer; Dockter; Dosch; Haak; Headland; Kasper; Kelsh; Koppelman, B.; Larson; Looyesen; Louser; Meier; Nathe; Nelson, M.; Olson; Pollert; Rohr; Ruby; Schatz; Schneider; Streyle; Thoreson; Toman; Vigesaa; Wallman; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Strinden

SB 2094 passed.

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**SECOND READING OF SENATE BILL**

**SB 2286:** A BILL for an Act to amend and reenact section 57-38-01.21 of the North Dakota Century Code, relating to a charitable gifts and qualified endowments income tax credit for charitable gifts to a border city hospital, nursing home, or medical center foundation; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 50 YEAS, 41 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Boschee; Damschen; Delmore; Fehr; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kelsh; Kempenich; Klein; Klemin; Kreidt; Laning; Lefor; Maragos; Martinson; Mitskog; Mock; Monson; Mooney; Muscha; Nelson, J.; Onstad; Oversen; Sanford; Schneider; Schreiber Beck; Seibel; Skarphol; Steiner; Sukut; Trottier; Wallman; Weisz

**NAYS:** Becker, Rick C.; Bellew; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Dosch; Froseth; Glassheim; Headland; Kading; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kretschmar; Larson; Looyesen; Louser; Meier; Nathe; Nelson, M.; Olson; Owens; Paur; Pollert; Porter; Rohr; Ruby; Schatz; Schmidt; Silbernagel; Streyle; Thoreson; Toman; Vigesaa; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Strinden

SB 2286 passed.

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**SECOND READING OF SENATE BILL**

**SB 2174:** A BILL for an Act to provide for a legislative management study of the state's health care delivery system.

**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 57 YEAS, 34 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Damschen; Delmore; Dockter; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Keiser; Kelsh; Klein; Klemin; Kretschmar; Laning; Larson; Looyesen; Maragos; Martinson; Meier; Mitskog; Mock; Mooney; Muscha; Nelson, J.; Nelson, M.; Onstad; Oversen; Paur; Porter; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Sukut; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Becker, Rick C.; Bellew; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dosch; Froseth; Headland; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Lefor; Louser; Monson; Nathe; Olson; Owens; Pollert; Rohr; Ruby; Schatz; Schmidt; Steiner; Streyle; Thoreson; Toman; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsovog; Kiefert; Strinden

SB 2174 passed.

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### SECOND READING OF SENATE BILL

**SB 2124:** A BILL for an Act to amend and reenact subsection 4 of section 49-03-06 of the North Dakota Century Code, relating to the issuance of a notice for an electric service area agreement.

### 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 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; 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:** Frantsovog; Kiefert; Strinden

SB 2124 passed.

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### SECOND READING OF SENATE BILL

**SB 2125:** A BILL for an Act to amend and reenact section 64-02-14 of the North Dakota Century Code, relating to public service commission action for weighing or measuring devices that do not meet design or tolerance standards.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 11 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Ruby; Sanford; Schatz; Schmidt;

Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wallman; Weisz; Speaker Belter

**NAYS:** Boe; Brandenburg; Glassheim; Headland; Monson; Olson; Pollert; Rohr; Skarphol; Streyle; Zubke

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Porter; Strinden

SB 2125 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2128:** A BILL for an Act to amend and reenact subsection 5 of section 43-05-01 of the North Dakota Century Code, relating to the definition of podiatric medicine.

#### **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 89 YEAS, 1 NAYS, 0 EXCUSED, 4 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; 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; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Delzer

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Porter; Strinden

Engrossed SB 2128 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2136:** A BILL for an Act to amend and reenact section 54-60.1-05 of the North Dakota Century Code, relating to business incentive accountability reports.

#### **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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Hunsakor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Porter; Strinden

SB 2136 passed.

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**SECOND READING OF SENATE BILL**

**SB 2235:** A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to warranty work compensation for outdoor power equipment.

**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 8 YEAS, 82 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Boschee; Glassheim; Guggisberg; Mock; Nelson, M.; Onstad; Wallman

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

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Porter; Strinden

Engrossed SB 2235 failed.

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**SECOND READING OF SENATE BILL**

**SB 2236:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24, a new subsection to section 43-17-02, and a new chapter to title 43 of the North Dakota Century Code, relating to the regulation and licensure of technical personnel who perform medical imaging procedures and radiation therapy treatments; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 67 YEAS, 23 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Bellew; Boe; Boschee; Delmore; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunsakor; Johnson, D.; Karls; Kasper; Keiser; Kelsh; Klein; Klemin; Kretschmar; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Ruby; Sanford; Schatz; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Zubke; Speaker Belter

**NAYS:** Becker, Rick C.; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Headland; Johnson, M.; Kading; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Olson; Pollert; Rohr; Schmidt; Skarphol; Streyle; Weisz

**ABSENT AND NOT VOTING:** Frantsvog; Kiefert; Porter; Strinden

Engrossed SB 2236 passed.

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**SECOND READING OF SENATE BILL**

**SB 2256:** A BILL for an Act to amend and reenact subdivision a of subsection 10 of section 65-01-02 and paragraph 10 of subdivision b of subsection 10 of section 65-01-02 of

the North Dakota Century Code, relating to workers' compensation coverage of first responders for posttraumatic stress disorder; to provide for application; and to provide an expiration 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 33 YEAS, 55 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Delmore; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kelsh; Kretschmar; Larson; Maragos; Martinson; Mitskog; Mock; Mooney; Muscha; Nelson, M.; Onstad; Oversen; Schneider; Schreiber Beck; Thoreson; Wallman

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

**ABSENT AND NOT VOTING:** Amerman; Frantsvog; Kiefert; Nathe; Porter; Strinden

SB 2256 failed.

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#### MOTION

**REP. VIGESAA MOVED** that pursuant to Joint Rule 206(6), HCR 3053, HCR 3058, and HCR 3059 be moved from the Tenth order to the Eleventh order, which motion prevailed.

#### MOTION

**REP. AMERMAN MOVED** that the House reconsider its action whereby SB 2256 passed, which motion failed on a verification vote.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3039.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2056, SB 2080, SB 2098, SB 2173, SB 2200.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2100.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2057, SB 2145, SB 2347.

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2087, SB 2158, SB 2210.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1029, HB 1048, HB 1076, HB 1093, HB 1099, HB 1100, HB 1118, HB 1119, HB 1128, HB 1183, HCR 3025.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1364.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1231.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1231**

Page 2, line 2, remove "or fifty-fifty raffle system"

Page 2, line 6, remove "raffle event board."

Page 2, line 7, remove "poker event board."

Page 2, line 19, overstrike "or" and insert immediately thereafter a comma

Page 2, line 19, after "cards" insert ", or gaming equipment"

Page 2, line 22, overstrike the first "or" and insert immediately thereafter a comma

Page 2, line 22, after "cards" insert ", or gaming equipment"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1216.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2053, SB 2067, SB 2084, SB 2132, SB 2135.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1027, HB 1125, HB 1131, HB 1192, HB 1239, HB 1330, HB 1337, HB 1470.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3036.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 13, 2015: HB 1027, HB 1125, HB 1131, HB 1192, HB 1239, HB 1330, HB 1337, HB 1470.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on March 12, 2015, I have signed the following: HB 1026.

Also, on March 12, 2015, I have signed the following: HB 1028.

Also, on March 12, 2015, I have signed the following: HB 1036.

Also, on March 12, 2015, I have signed the following: HB 1037.

Also, on March 12, 2015, I have signed the following: HB 1045.

Also, on March 12, 2015, I have signed the following: HB 1074.

Also, on March 12, 2015, I have signed the following: HB 1104.

Also, on March 12, 2015, I have signed the following: HB 1105.

Also, on March 12, 2015, I have signed the following: HB 1121.

Also, on March 12, 2015, I have signed the following: HB 1127.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on March 12, 2015, I have signed the following: HB 1129.

Also, on March 12, 2015, I have signed the following: HB 1156.

Also, on March 12, 2015, I have signed the following: HB 1168.

Also, on March 12, 2015, I have signed the following: HB 1208.

Also, on March 12, 2015, I have signed the following: HB 1212.

Also, on March 12, 2015, I have signed the following: HB 1220.

Also, on March 12, 2015, I have signed the following: HB 1335.

Also, on March 12, 2015, I have signed the following: HB 1346.

Also, on March 12, 2015, I have signed the following: HB 1385.

#### **DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on March 13, 2015: HCR 3036.

#### **MOTION**

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

#### **MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 16, 2015, which motion prevailed.

#### **REPORT OF STANDING COMMITTEE**

**HCR 3060: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HCR 3060 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2139, as engrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2139 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2149: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2149 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2179: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2179 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2183: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2183 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2185, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2185 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2191, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2191 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2195: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2195 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2242: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2242 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2245, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2245 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2251, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2251 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2252, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2252 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2291: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS** (10 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). SB 2291 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2293, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2293 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "reports" with "a report"

Page 1, line 3, replace "**REPORTS**" with "**REPORT**"

Page 1, line 3, remove "At least"

Page 1, remove line 4

Page 1, line 5, replace "commission and" with "During the 2015-16 interim,"

Page 1, line 6, replace "reports" with "report"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2351: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2351 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 954 of the House Journal, Senate Bill No. 2351 is amended as follows:

Page 1, replace lines 7 through 16 with:

- "1. This chapter does not apply to the ownership or leasing of land used for the operation of a dairy farm by a domestic corporation or a limited liability company and does not prohibit the operation of a dairy farm by a domestic corporation or a limited liability company, provided:
  - a. The land owned or leased for the authorized purpose does not exceed six hundred forty acres [258.99 hectares];

- b. The dairy farm is operational within three years from the date the land is acquired; and
  - c. The dairy farm is permitted as an animal feeding operation or as a concentrated animal feeding operation by the state department of health and consists of at least fifty cows.
- 2. This chapter does not apply to the ownership or leasing of land used for the operation of a swine production facility by a domestic corporation or a limited liability company and does not prohibit the operation of a swine production facility by a domestic corporation or a limited liability company, provided:
  - a. The land owned or leased for the authorized purpose does not exceed six hundred forty acres [258.99 hectares];
  - b. The swine production facility is operational within three years from the date the land is acquired; and
  - c. The swine production facility is permitted as an animal feeding operation or as a concentrated animal feeding operation by the state department of health and consists of at least five hundred swine.
- 3. The agriculture commissioner shall by rule develop reporting and monitoring requirements to ensure compliance with this section.
- 4.
  - a. If the agriculture commissioner determines that a domestic corporation or a limited liability company is not operating within the exceptions provided by this section, the commissioner shall notify the secretary of state and the attorney general.
  - b. A domestic corporation or a limited liability company that is not operating within the exceptions provided by this section is subject to the enforcement provisions of this chapter."

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2352, as engrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2352 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SCR 4001: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SCR 4001 was placed on the Tenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**

