

JOURNAL OF THE HOUSE

Sixty-fourth Legislative Assembly

* * * * *

Bismarck, March 17, 2015

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

The prayer was offered by Pastor Craig Schweitzer, Good Shepherd Lutheran Church, Bismarck.

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

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

ACTING SPEAKER DEVLIN DEEMED approval of the amendments to Engrossed SB 2120.

Engrossed SB 2120, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. VIGESAA MOVED that Engrossed SB 2352 be rereferred to the **Transportation Committee** for further consideration, which motion prevailed. Pursuant to Rep. Vigesaa's motion, Engrossed SB 2352 was rereferred.

SECOND READING OF SENATE BILL

SB 2325: A BILL for an Act to amend and reenact subsections 1 and 6 of section 5-01-21 of the North Dakota Century Code, relating to multiple brewer taproom licenses.

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; 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.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

ABSENT AND NOT VOTING: Frantsvog; Rohr; Speaker Belter

SB 2325 passed.

SECOND READING OF SENATE BILL

SB 2118: A BILL for an Act to amend and reenact subsection 4 of section 39-01-15 of the North Dakota Century Code, relating to mobility impaired parking privilege applications.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 3 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; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Pollert; Porter; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

NAYS: Laning; Paur; Skarphol

ABSENT AND NOT VOTING: Frantsvog; Rohr; Speaker Belter

SB 2118 passed.

SECOND READING OF SENATE BILL

SB 2198: A BILL for an Act to amend and reenact section 39-24-09.1 of the North Dakota Century Code, relating to the minimum age for snowmobile operators.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 3 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; 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; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

NAYS: Delzer; Nelson, M.; Steiner

ABSENT AND NOT VOTING: Frantsvog; Rohr; Speaker Belter

Engrossed SB 2198 passed.

SECOND READING OF SENATE BILL

SB 2259: A BILL for an Act to create and enact chapter 23-48 of the North Dakota Century Code, relating to the use of experimental drugs; and to provide for a notification by the secretary of state.

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; 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; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

ABSENT AND NOT VOTING: Frantsovog; Rohr; Speaker Belter

Engrossed SB 2259, as amended, passed.

SECOND READING OF SENATE BILL

SB 2066: A BILL for an Act to create and enact section 43-28-25.1 of the North Dakota Century Code, relating to tribal sovereignty and the ownership of a dental office or clinic; to amend and reenact sections 43-20-01.3, 43-20-03, 43-20-12.3, 43-20-13.2, 43-28-03, 43-28-15, 43-28-18.1, 43-28-18.2, and 43-28-25 of the North Dakota Century Code, relating to the practice and licensing of dental assistants and hygienists and dentists; 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 81 YEAS, 10 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Delzer; Devlin; Froseth; Karls; Mock; Porter; Toman; Vigasaa; Weisz

ABSENT AND NOT VOTING: Frantsovog; Rohr; Speaker Belter

Engrossed SB 2066, as amended, passed.

SECOND READING OF SENATE BILL

SB 2324: A BILL for an Act to amend and reenact subsections 3 and 6 of section 5-01-16 of the North Dakota Century Code, relating to out-of-state shipments of alcohol to customers in this state; 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 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; 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; Ruby; Sanford; Schatz; Schmidt;

Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

ABSENT AND NOT VOTING: Frantsvog; Rohr; Speaker Belter

Engrossed SB 2324, as amended, passed.

SECOND READING OF SENATE BILL

SB 2052: A BILL for an Act to create and enact a new section to chapter 27-20, a new section to chapter 39-08, and a new section to chapter 54-12 of the North Dakota Century Code, relating to participation in the twenty-four seven sobriety program and the use of drug court for driving under the influence offenders; to amend and reenact sections 27-20-10, 27-20-31, 39-06-03, subdivision h of subsection 2 of section 39-06-49, section 39-08-01, subsection 2 of section 39-16-03.1, section 39-20-01, subsection 2 of section 39-20-04, subsections 2 and 3 of section 39-20-05, and section 39-20-15 of the North Dakota Century Code, relating to driving under the influence offenses and participation in the twenty-four seven sobriety and drug court programs; to provide for retroactive application; 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 90 YEAS, 1 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; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

NAYS: Larson

ABSENT AND NOT VOTING: Frantsvog; Rohr; Speaker Belter

Engrossed SB 2052, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2183: A BILL for an Act to amend and reenact section 4-14.2-02 of the North Dakota Century Code, relating to the membership of the northern crops council.

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; 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; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden;

Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

ABSENT AND NOT VOTING: Frantsvog; Hawken; Rohr; Speaker Belter

SB 2183 passed.

SECOND READING OF SENATE BILL

SB 2291: A BILL for an Act to amend and reenact sections 60-02-11 and 60-04-03.1 of the North Dakota Century Code, relating to the allowable time for grain warehouse scale ticket conversions.

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 56 YEAS, 34 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, B.; Anderson, D.; Bellew; Boe; Boschee; Damschen; Delmore; Dockter; Dosch; Fehr; Guggisberg; Haak; Hanson; Hatlestad; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Keiser; Kelsh; Kiefert; Koppelman, K.; Kretschmar; Larson; Lefor; Looyesen; Maragos; Martinson; Meier; Mock; Monson; Mooney; Muscha; Nelson, J.; Olson; Onstad; Oversen; Paur; Pollert; Porter; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Strinden; Sukut; Toman; Trottier; Vigesaa; Weisz

NAYS: Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Froseth; Glassheim; Headland; Holman; Kasper; Kempenich; Klein; Klemin; Koppelman, B.; Kreidt; Laning; Louser; Mitskog; Nathe; Nelson, M.; Owens; Ruby; Schatz; Schmidt; Steiner; Streyle; Thoreson; Wallman; Zubke

ABSENT AND NOT VOTING: Frantsvog; Hawken; Rohr; Speaker Belter

SB 2291 passed.

SECOND READING OF SENATE BILL

SB 2251: A BILL for an Act to provide for a legislative management study of plugging and reclamation bonds.

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 25 YEAS, 65 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Frantsvog; Hawken; Rohr; Speaker Belter

Engrossed SB 2251 failed.

SECOND READING OF SENATE BILL

SB 2185: A BILL for an Act to amend and reenact sections 43-19.1-25 and 43-19.1-26 of the North Dakota Century Code, relating to disciplinary action procedure for professional engineers and land surveyors.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 2 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; 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; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Paur; Pollert; Porter; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

NAYS: Mooney; Owens

ABSENT AND NOT VOTING: Frantsvog; Hawken; Rohr; Speaker Belter

Engrossed SB 2185 passed.

SECOND READING OF SENATE BILL

SB 2245: A BILL for an Act to provide for a legislative management study of making provisions for Indian veterans' service representatives.

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

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

NAYS: Bellew; Delzer; Klein; Weisz

ABSENT AND NOT VOTING: Frantsvog; Hawken; Headland; Rohr; Speaker Belter

Engrossed SB 2245 passed.

SECOND READING OF SENATE BILL

SB 2252: A BILL for an Act to create and enact two new sections to chapter 54-09 of the North Dakota Century Code, relating to the role of the secretary of state in filing signed documents or records, an agent signing documents, or records filed with the

secretary of state; 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 87 YEAS, 3 NAYS, 0 EXCUSED, 4 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; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Paur; Pollert; Porter; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke

NAYS: Becker, Rick C.; Kading; Olson

ABSENT AND NOT VOTING: Frantsvog; Hawken; Rohr; Speaker Belter

Engrossed SB 2252 passed.

SECOND READING OF SENATE BILL

SB 2149: A BILL for an Act to amend and reenact section 48-01.2-02, subsection 1 of section 48-01.2-04, and subdivision d of subsection 1 of section 48-01.2-20 of the North Dakota Century Code, relating to public improvement contracts.

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

NAYS: Nelson, M.

ABSENT AND NOT VOTING: Frantsvog; Hawken; Rohr; Speaker Belter

SB 2149 passed.

SECOND READING OF SENATE BILL

SB 2195: A BILL for an Act to amend and reenact section 57-15-19.2 of the North Dakota Century Code, relating to the township special road fund.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 8 NAYS, 0 EXCUSED, 4 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; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; 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; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Strinden; Sukut; Thoreson; Trottier; Vigasaa; Wallman; Weisz; Zubke

NAYS: Becker, Rick C.; Delzer; Headland; Nathe; Porter; Steiner; Streyle; Toman

ABSENT AND NOT VOTING: Frantsvog; Hawken; Rohr; Speaker Belter

SB 2195 passed.

MOTION

REP. VIGESAA MOVED that SB 2146 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2146: 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 the resident and nonresident muskrat trapping season.

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 24 YEAS, 66 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson, P.; Becker, Rick C.; Boschee; Brandenburg; Delmore; Delzer; Guggisberg; Haak; Hofstad; Holman; Hunsakor; Johnson, D.; Kelsh; Klein; Laning; Mooney; Muscha; Oversen; Paur; Pollert; Schatz; Strinden; Wallman

NAYS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Bellew; Boe; Boehning; Brabandt; Carlson; Damschen; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Hanson; Hatlestad; Headland; Hogan; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Owens; Porter; Ruby; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke

ABSENT AND NOT VOTING: Frantsvog; Hawken; Rohr; Speaker Belter

Engrossed SB 2146 failed.

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

MR. PRESIDENT: The House has passed, unchanged: SCR 4001, SCR 4004.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2351.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1047, HB 1052, HB 1063, HB 1123, HB 1148, HB 1153, HB 1436.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1066, HB 1199.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1274, HB 1382, HB 1396.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1274

Page 1, line 18, overstrike "a psychologist"

Page 1, line 18, after "chapter" insert "for at least five years"

Page 1, overstrike lines 19 through 22

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1382

Page 1, line 23, remove "municipal utility or municipal power agency and by a rural electric cooperative or"

Page 1, line 24, replace "by an" with "rural electric cooperative and facilities owned, leased, or operated by a municipal utility, a municipal power agency, or an"

Page 2, line 1, after "The" insert "rural electric cooperative and"

Page 2, line 1, replace "or" with an underscored comma

Page 2, line 1, replace "and the rural electric cooperative" with an underscored comma

Page 2, line 9, remove "This section must be construed and applied to the maximum extent possible in a"

Page 2, replace line 10 with "For purposes of this section, a "municipal utility" means anything a municipality is allowed to possess under section 40-33-01 and a "municipal power agency" has the meaning provided in section 40-33.2-02."

Page 3, line 2, after "and" insert "facilities owned, leased, or operated"

Page 3, line 3, remove "by"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1396

Page 1, line 2, after "to" insert "student"

Page 1, line 3, remove "nurse practitioners, physician assistants, certified nurse midwives, and"

Page 1, line 4, replace "physicians" with "health care professionals"

Page 1, line 9, replace "cities" with "areas of this state"

Page 1, line 13, replace "cities" with "public and private entities"

Page 1, line 14, after "services" insert ", including providing medical behavioral health services via telecommunication and information technologies."

Page 1, line 17, replace "Cities" with "Public and private entities"

Page 1, line 18, replace "cities" with "public and private entities"

Page 1, line 21, replace "city" with "area"

Page 1, line 22, remove "city and the surrounding"

Page 1, line 23, remove "city and the surrounding"

Page 2, line 1, replace "public and private sector entities" with "health care and social service providers, advocacy groups, governmental entities, and others."

Page 2, line 3, replace "A city" with "An entity"

Page 2, line 7, replace "**Cities**" with "**Public and private entities**"

Page 2, line 8, replace "cities" with "public and private entities"

Page 2, line 8, remove ", in"

Page 2, replace lines 9 through 15 with: "to entities that:

1. Meet the selection criteria; and
2. Are located in or able to provide telemedicine services to areas that are:
 - a. Statistically underserved; and
 - b. Located outside of a metropolitan statistical area"

Page 2, line 22, replace "a city" with "an area"

Page 2, replace lines 28 and 29 with:

- "2. In selecting health care professionals for participation in a program, the health council may consider an individual's:
 - a. Length of residency in this state; and
 - b. Attendance at an in-state or an out-of-state institution of higher education."

Page 3, line 14, replace "a nurse practitioner," with "an advanced practice registered nurse or a"

Page 3, line 14, remove ", or certified nurse midwife"

Page 3, remove line 25

Page 3 line 26, replace "(b)" with "(a)"

Page 3, line 26, replace "addition" with "addiction"

Page 3, remove line 27

Page 3, line 28, replace "(d)" with "(b)"

Page 3, line 29, replace "(e)" with "(c)"

Page 3, line 30, replace "(f)" with "(d)"

Page 3, line 31, replace "(g)" with "(e)"

Page 4, line 31, remove "nurse practitioner, physician assistant, or certified nurse midwife"

Page 5, line 1, after the second comma insert "in accordance with chapter 43-12.2,"

Page 5, line 2, remove "physician"

Page 5, line 3, after the first comma insert "in accordance with chapter 43-17.2,"

Renumber accordingly

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

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1122, HB 1171, HB 1175.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1029, HB 1048, HB 1076, HB 1093, HB 1099, HB 1100, HB 1118, HB 1119, HB 1128, HB 1183, HB 1364, HCR 3025.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1065, HB 1097, HB 1132, HB 1142, HB 1146.

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

MR. PRESIDENT: Your signature is respectfully requested on: HCR 3025.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2069, SB 2094, SB 2124, SB 2125, SB 2128, SB 2136, SB 2174, SB 2236, SB 2286.

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

MR. SPEAKER: The President has signed: HB 1029, HB 1048, HB 1065, HB 1076, HB 1093, HB 1097, HB 1099, HB 1100, HB 1118, HB 1119, HB 1128, HB 1132, HB 1142, HB 1146, HB 1183, HB 1364, HCR 3025.

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

MR. SPEAKER: The President has signed: HCR 3025.

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

MR. PRESIDENT: The Speaker has signed: HB 1061, HB 1073, HB 1091, HB 1103, HB 1120, HB 1159, HB 1161, HB 1257, HB 1374, HB 1381, HB 1416, HB 1448.

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

MR. PRESIDENT: The Speaker has signed: HCR 3025.

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

MR. PRESIDENT: The Speaker has signed: 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: SB 2056, SB 2080, SB 2098, SB 2100, SB 2173, SB 2200.

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

MR. PRESIDENT: The Speaker has signed: SB 2069, SB 2094, SB 2124, SB 2125, SB 2128, SB 2136, SB 2174, SB 2236, SB 2286.

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

MR. SPEAKER: The President has signed: SB 2053, SB 2056, SB 2067, SB 2069, SB 2080, SB 2084, SB 2094, SB 2098, SB 2100, SB 2124, SB 2125, SB 2128, SB 2132, SB 2135, SB 2136, SB 2173, SB 2174, SB 2200, SB 2236, SB 2286.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 17, 2015: HB 1061, HB 1073, HB 1091, HB 1103, HB 1120, HB 1159, HB 1161, HB 1257, HB 1374, HB 1381, HB 1416, HB 1448.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

This is to inform you that on March 16, 2015, I have signed the following: HB 1027, HB 1125, HB 1131, HB 1192, HB 1239, HB 1330, HB 1337, and HB 1470.

MOTION

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

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m.,

Wednesday, March 18, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2061: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2061 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2073, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2073 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2096, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2096 was placed on the Sixth order on the calendar.

Page 5, line 14, replace "December 31, 2016" with "June 30, 2017"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2134, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2134 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2187: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2187 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2202, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2202 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2208: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2208 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2217: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2217 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2237, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2237 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2246, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2246 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2262: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2262 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2288, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2288

was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2307, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2307 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2315, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2315 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2326, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2326 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "three new sections to chapter 15.1-02 and"

Page 1, line 2, after the first "to" insert "the collection and maintenance of student data and"

Page 3, after line 18, insert:

"SECTION 2. A new section to chapter 15.1-02 of the North Dakota Century Code is created and enacted as follows:

Superintendent of public instruction - Identification of data - Rules.

The superintendent of public instruction shall by rule identify:

1. All data fields that the superintendent collects or maintains about students;
2. The purpose for collecting or maintaining the data; and
3. Persons with whom the data are shared.

SECTION 3. A new section to chapter 15.1-02 of the North Dakota Century Code is created and enacted as follows:

Student data - Collection - School district responsibility.

1. The board of each school district shall publish on the district's website a list of all data fields that the district collects or maintains about an individual student and indicate for each field:
 - a. Whether the field is classified as:
 - (1) Directory information;
 - (2) Personally identifiable information; or
 - (3) Non-personally identifiable information;
 - b. The purpose for which the data is collected or maintained; and
 - c. Any person, other than a school district employee, with whom the data is shared.
2. The board of each school district shall establish a policy and identify therein, by name or title, which school district employee has access to the data.

3. The board of each school district shall establish a policy addressing the manner in which a parent may opt-out of any disclosure involving directory information or personally identifiable information of that parent's child, except as required in order to administer the state finance formula.
4. The board of each school district shall review the requirements of this section at least annually and modify the district's website and policies to ensure accuracy.

SECTION 4. A new section to chapter 15.1-02 of the North Dakota Century Code is created and enacted as follows:

Application of chapter.

Nothing in this chapter prohibits or limits the release of school district records to or the administrative use of school district records by:

1. A court;
2. A governmental entity, if there is a reasonable belief that an individual is or may be in imminent danger; or
3. A vendor that provides to a school district a specific educational or administrative service or product, provided that prior to the release of any records the vendor contractually agrees to:
 - a. Limit the use of any student data that is collected and maintained to the authorized purpose set forth in the contract;
 - b. Protect the data from unauthorized access or use; and
 - c. Return or destroy any data that was collected and maintained by the vendor upon fulfillment of the authorized purpose set forth in the contract."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2355, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2355 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "superintendent of public instruction shall develop" with "education standards and practices board shall contract with a private entity for the development of"

Page 1, line 10, remove "education standards and practices"

Page 1, line 16, after "survey" insert "instrument"

Page 1, line 21, replace "superintendent of public instruction in developing" with "education standards and practices board in procuring and utilizing"

Page 1, line 22, remove "education standards and practices"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2371, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2371 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "The" with "An"

Page 1, line 11, replace "the" with "an"

Page 1, line 12, replace "as provided by ordinance" with "to the governing body of the municipality"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2378, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2378 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4007: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (22 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SCR 4007 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4020: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SCR 4020 was placed on the Fourteenth order on the calendar.

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

Buell J. Reich, Chief Clerk

