

## JOURNAL OF THE HOUSE

## Sixty-fifth Legislative Assembly

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Bismarck, January 24, 2017

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

The prayer was offered by Pastor Paul Herr, Century Baptist Church, Bismarck.

The roll was called and all members were present except Representatives Boe, M. Johnson, Johnston, and M. Nelson.

A quorum was declared by the Speaker.

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

Sen. Dever and Rep. Maragos introduced:

**SCR 4007:** A concurrent resolution designating Senate and House employment positions and fixing compensation.

Was read the first time.

**MOTION**

**REP. VIGESAA MOVED** that the rules be suspended, that SCR 4007 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Sen. Dever and Rep. Maragos introduced:

**SENATE CONCURRENT RESOLUTION NO. 4007**

A concurrent resolution designating Senate and House employment positions and fixing compensation.

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That for the Sixty-fifth Legislative Assembly, the following positions are designated as employee positions of the House and Senate and are to be paid the daily wages indicated:

## SENATE

Secretary of the senate	\$196
Assistant secretary of the Senate	177
Journal reporter	191
Calendar clerk	177
Bill clerk	165
Recording clerk	160
Sergeant-at-arms	160
Administrative assistant to majority leader	174
Staff assistant to majority leader	174
Administrative assistant to minority leader	174
Staff assistant to minority leader	174
Chief committee clerk	184

Appropriations committee clerk	174
Assistant appropriations committee clerk	167
Committee clerk for three-day committee	167
Committee clerk for two-day committee	162
Assistant committee clerk	162
Deputy sergeant-at-arms	122
Chief page	135
Legislative assistant	115

## HOUSE

Chief clerk	196
Assistant chief clerk	177
Journal reporter	191
Calendar clerk	177
Bill clerk	165
Recording clerk	160
Sergeant-at-arms	160
Administrative assistant to majority leader	174
Staff assistant to majority leader	174
Administrative assistant to minority leader	174
Staff assistant to minority leader	174
Administrative assistant to Speaker	174
Deputy chief clerk	184
Appropriations committee clerk	174
Assistant appropriations committee clerk	167
Committee clerk for three-day committee	167
Committee clerk for two-day committee	162
Assistant committee clerk	162
Deputy sergeant-at-arms	122
Chief legislative assistant	135
Legislative assistant	115

**BE IT FURTHER RESOLVED**, that each employee of the Sixty-fifth Legislative Assembly is entitled to an additional \$1 per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an

employee of the House or the Senate, and to receive this additional compensation, which may not exceed \$10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

**BE IT FURTHER RESOLVED**, that each majority and each minority leader is entitled to one administrative assistant and two staff assistants, but each majority or minority leader may hire fewer or more assistants so long as the total daily compensation for the assistants hired does not exceed the total daily amount authorized for those positions by this resolution; and

**BE IT FURTHER RESOLVED**, that the report of the Employment Committee of the respective house identify the number of employees in each position by listing every employee and the position for which employed; and

**BE IT FURTHER RESOLVED**, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay, and a part-time employee may hold more than one part-time position so long as the positions held do not exceed a full-time equivalent position; and

**BE IT FURTHER RESOLVED**, an employee is entitled to pay for any day the Legislative Assembly is in recess and any employee is required to be present for committee hearings or other legislative business; and

**BE IT FURTHER RESOLVED**, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4007:** A concurrent resolution designating Senate and House employment positions and fixing compensation.

#### **ROLL CALL**

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.

SCR 4007 was declared adopted on a recorded roll call vote.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SCR 4007.

#### **SIXTH ORDER OF BUSINESS**

**SPEAKER BELLEW DEEMED** approval of the amendments to HB 1151, HB 1180, and HB 1204.

HB 1151, HB 1180, and HB 1204, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**SECOND READING OF HOUSE BILL**

**HB 1030:** A BILL for an Act to amend and reenact section 15-10-12.1 of the North Dakota Century Code, relating to higher education campus improvements and building construction.

**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:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.

HB 1030 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1123:** A BILL for an Act to provide an appropriation to the secretary of state for the procurement and implementation of a voting system to be utilized statewide; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 78 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Blum; Boschee; Delmore; Dobervich; Hanson; Holman; Laning; Longmuir; Magrum; Maragos; Mock

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Lefor; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.

HB 1123 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1122:** A BILL for an Act to provide an appropriation to the secretary of state for the procurement and implementation of electronic pollbooks to be utilized statewide in all polling places; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee

recommendation of DO NOT PASS, the roll was called and there were 17 YEAS, 72 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Blum; Boehning; Boschee; Dobervich; Guggisberg; Hanson; Hogan; Holman; Kasper; Keiser; Longmuir; Maragos; Mock; Olson; Ruby, D.; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Laning; Lefor; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Koppelman, K.; Nelson, M.

HB 1122 failed.

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### SECOND READING OF HOUSE BILL

**HB 1053:** A BILL for an Act to amend and reenact section 54-52-02.9, subsection 2 of section 54-52-05, and sections 54-52-06, 54-52.6-02, and 54-52.6-09 of the North Dakota Century Code, relating to increased employer and employee contributions under the public employees retirement system defined benefit and defined contribution plans.

### 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:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.

HB 1053 failed.

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### SECOND READING OF HOUSE BILL

**HB 1225:** 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 benefits; 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 23 YEAS, 66 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Becker, Rich S.; Blum; Boschee; Dobervich; Dockter; Guggisberg; Karls; Kasper; Maragos; Marschall; Mitskog; Mock; Owens; Porter; Ruby, D.; Sanford; Satrom; Schneider; Simons; Steiner; Toman; Vetter

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rick C.; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Paur; Pollert; Pyle; Roers Jones; Rohr; Ruby, M.; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Skroch; Streyle; Sukut; Trottier; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Hogan; Johnson, M.; Johnston; Nelson, M.

HB 1225 failed.

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## SECOND READING OF HOUSE BILL

**HB 1039:** A BILL for an Act to create and enact a new section to chapter 23-16 of the North Dakota Century Code, relating to hospital discharge policies.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, D.; Jones; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; Meier; Nathe; Oliver; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schobinger; Seibel; Steiner; Sukut; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Boschee; Damschen; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; Johnson, C.; Kading; Keiser; McWilliams; Mitskog; Mock; Monson; Nelson, J.; O'Brien; Olson; Paur; Schmidt; Schneider; Schreiber-Beck; Simons; Skroch; Streyle; Toman

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.

Engrossed HB 1039 passed.

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## SECOND READING OF HOUSE BILL

**HB 1206:** A BILL for an Act to amend and reenact subsection 13 of section 14-15-01 and sections 14-15.1-01 and 14-15.1-04 of the North Dakota Century Code, relating to the investigation and report by a child-placing agency and the definition of relative.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut;

Toman; Trottier; Vetter; Vigasaa; Westlind; Zubke; Speaker Bellew

**NAYS:** Devlin; Weisz

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.

Engrossed HB 1206 passed.

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### **SECOND READING OF HOUSE BILL**

**HB 1147:** A BILL for an Act to amend and reenact subsection 3 of section 26.1-13-15 of the North Dakota Century Code, relating to authority of county mutual insurance companies.

### **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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.; Porter

Engrossed HB 1147 passed.

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### **SECOND READING OF HOUSE BILL**

**HB 1198:** A BILL for an Act to amend and reenact section 26.1-39-23 of the North Dakota Century Code, relating to property and casualty insurance binders.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.

Engrossed HB 1198 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1183:** A BILL for an Act to amend and reenact section 12.1-20-12.1 of the North Dakota Century Code, relating to indecent exposure toward minors; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 7 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Becker, Rick C.; Klemin; Magrum; Olson; Schatz; Simons; Vetter

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Kreidt; Nelson, M.

Engrossed HB 1183 passed.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3002:** A concurrent resolution requesting the Legislative Management to consider studying the operation, management, conditions, standards, and supervision of city, county, and regional correctional facilities and other potential means to improve the rehabilitative function of city, county, and regional correctional facilities and a possible transition of the supervision of city, county, and regional correctional facilities from the Department of Corrections and Rehabilitation to the Attorney General.

**ROLL CALL**

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Laning

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.; Schreiber-Beck

Engrossed HCR 3002 was declared adopted on a recorded roll call vote.



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**SECOND READING OF HOUSE BILL**

**HB 1176:** A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 and section 39-21-44.1 of the North Dakota Century Code, relating to covering a load in a vehicle and fee for a violation.

**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 14 YEAS, 76 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Brandenburg; Dockter; Guggisberg; Hatlestad; Kempenich; Kreidt; Lefor; Rohr; Seibel; Steiner; Sukut; Vetter; Zubke

**NAYS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Ertelt; Grueneich; Hanson; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Laning; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Streyle; Toman; Trottier; Vigasaa; Weisz; Westlind; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Johnson, M.; Johnston; Nelson, M.

HB 1176 failed.

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**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2154, SB 2174.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2154, SB 2174.

**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, January 25, 2017, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1086: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1086 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1146: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1146 was placed on the Sixth order on the calendar.

Page 6, line 3, after the underscored period insert "However, if the licensed wholesaler subsequently confirms the ability to provide the specified alcoholic beverages to the retail licensee, the retail licensee shall revert back to receiving the specified alcoholic beverages from the licensed wholesaler."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1163: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1163 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "amend and reenact subsection 2 of section 39-22-27 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to motor vehicle auctions; and to"

Page 1, line 2, remove "section 5-02-05,"

Page 1, line 3, remove ", and section 39-22-07.1"

Page 1, remove lines 6 through 10

Page 1, line 11, replace "Section 5-02-05 and chapter" with "Chapter"

Page 1, line 11, remove "and section 39-22-07.1"

Page 1, line 12, replace "are" with "is"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1196: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1196 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1218: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1218 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1222: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1222 was placed on the Sixth order on the calendar.

Page 2, line 25, after "punishable" insert "as a class A misdemeanor"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1237: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1237 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 amend and reenact section 43-55-05 of the North Dakota Century Code, relating to professional employer organization bonding requirements."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 43-55-05 of the North Dakota Century Code is amended and reenacted as follows:

**43-55-05. Bond.**

1. A professional employer organization shall maintain a bond with a minimum value of the ~~greater~~lesser amount of one hundred thousand dollars or five percent of the total wages reported on the employer's

- quarterly contribution and wage report to job service North Dakota for the quarter ending immediately before the date submitted to the secretary of state but not to exceed five hundred thousand dollars.
2. A professional employer organization that has not filed an employer's quarterly contribution and wage report with job service North Dakota shall submit a bond in the amount of one hundred thousand dollars.
  3. The bond must be held by the secretary of state and secure payment by the professional employer organization of any tax, wage, benefit, or other entitlement due to or with respect to a covered employee if the professional employer organization does not make the payment when due.
  4. ~~Notice~~A professional employer organization shall provide the secretary of state notice of cancellation or nonrenewal of the ~~surety~~ bond required by this section ~~shall be provided to the secretary of state~~ at least forty-five days before cancellation or nonrenewal of the bond.
  5. As used in this section, "bond" means a surety bond or an irrevocable letter of credit."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1250: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1250 was placed on the Sixth order on the calendar.

Page 1, line 1, after "11-18-02.2" insert " and paragraph 8 of subdivision a of subsection 3 of section 47-10-27"

Page 1, line 2, after "disclosure" insert "; and to provide a penalty"

Page 1, line 9, overstrike "any"

Page 1, line 12, overstrike "A statement that the grantee has filed a report of the full consideration paid for"

Page 1, overstrike line 13

Page 1, line 14, remove "b."

Page 1, line 15, replace "c." with "b."

Page 1, line 15, overstrike "7" and insert immediately thereafter "6"

Page 1, line 21, overstrike "one of the following:"

Page 1, line 22, overstrike "a."

Page 2, line 1, overstrike "A statement that the party has filed with the recorder a report of the full"

Page 2, overstrike line 2

Page 2, line 3, remove "b."

Page 2, line 3, overstrike "A" and insert immediately thereafter "a"

Page 2, line 5, overstrike "contains one of the statements"

Page 2, line 6, overstrike "required by" and insert immediately thereafter "complies with"

Page 2, line 7, overstrike "contains or is accompanied by one of the statements required by" and insert immediately thereafter "complies with"

Page 2, line 8, overstrike "The recorder shall accumulate and at least monthly forward to the state board of"

Page 2, overstrike lines 9 and 10

Page 2, line 11, overstrike "5."

Page 2, line 15, overstrike "6." and insert immediately thereafter "5."

Page 2, line 22, overstrike "7." and insert immediately thereafter "6."

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

Page 3, after line 12, insert:

**"SECTION 2. AMENDMENT.** Paragraph 8 of subdivision a of subsection 3 of section 47-10-27 of the North Dakota Century Code is amended and reenacted as follows:

- (8) If the party executing the affidavit acquired the manufactured home before the affixation of the manufactured home to the real property, that party shall complete ~~one of the statements~~statement required by subsection 2 of section 11-18-02.2; and"

Renumber accordingly

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

**HB 1315: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1315 was placed on the Eleventh order on the calendar.

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

**HB 1332: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1332 was placed on the Eleventh order on the calendar.

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

**HB 1349: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1349 was placed on the Eleventh order on the calendar.

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

**HB 1376: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1376 was placed on the Eleventh order on the calendar.

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

**HB 1381: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1381 was placed on the Eleventh order on the calendar.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2154, SB 2174.

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

**Buell J. Reich, Chief Clerk**