

## JOURNAL OF THE HOUSE

## Sixty-fifth Legislative Assembly

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Bismarck, February 2, 2017

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

The prayer was offered by Rep. Kathy Hogan.

The roll was called and all members were present except Representatives B. Anderson, Dobervich, Kreidt, and Nathe.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SPEAKER BELLEW DEEMED** approval of the amendments to HB 1085, HB 1114, HB 1166, HB 1251, HB 1286, HB 1313, HB 1314, HB 1341, HB 1387, and HB 1403.

HB 1085, HB 1114, HB 1166, HB 1251, HB 1286, HB 1313, HB 1314, HB 1341, HB 1387, and HB 1403, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. BOSCH MOVED** that the House reconsider its action whereby Engrossed HB 1186 passed. .

## REQUEST

**REP. LOUSER REQUESTED** a recorded roll call vote, which request was granted.

## ROLL CALL

The question being on the motion to reconsider the action whereby Engrossed HB 1186 passed, the roll was called and there were 55 YEAS, 35 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Headland; Howe; Johnston; Kading; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Lefor; Longmuir; Louser; Magrum; Marschall; Meier; Monson; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Toman; Trottier; Vigesaa; Weisz; Zubke; Speaker Bellew

**NAYS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Delmore; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Klemin; Laning; Maragos; Martinson; McWilliams; Mitskog; Mock; Nelson, J.; Nelson, M.; Olson; Roers Jones; Sanford; Schneider; Sukut; Vetter; Westlind

**ABSENT AND NOT VOTING:** Anderson, B.; Dobervich; Kreidt; Nathe

The motion prevailed on a recorded roll call vote.

## SECOND READING OF HOUSE BILL

**HB 1186:** A BILL for an Act to create and enact a new chapter to title 47 of the North Dakota Century Code, relating to disclosure of radon hazards by a seller.

## 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 37 YEAS, 53 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boschee; Delmore; Guggisberg; Hanson; Hatlestad; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Keiser; Klemin; Laning; Maragos; Martinson; McWilliams; Mitskog; Mock; Nelson, J.; Nelson, M.; O'Brien; Olson; Roers Jones; Sanford; Schneider; Schreiber-Beck; Seibel; Steiner; Sukut; Vetter

**NAYS:** Becker, Rick C.; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Headland; Heinert; Howe; Johnston; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Lefor; Longmuir; Louser; Magrum; Marschall; Meier; Monson; Oliver; Owens; Paur; Pollert; Porter; Pyle; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schmidt; Schobinger; Simons; Skroch; Streyle; Toman; Trottier; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, B.; Dobervich; Kreidt; Nathe

Engrossed HB 1186 failed.

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#### **MOTION**

**REP. VIGESAA MOVED** that HB 1311, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3007:** A concurrent resolution requesting the Legislative Management to consider studying the legalization, decriminalization, and taxation of marijuana.

#### **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 40 YEAS, 50 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Becker, Rick C.; Blum; Boe; Boschee; Damschen; Delmore; Devlin; Ertelt; Guggisberg; Hanson; Hatlestad; Hogan; Holman; Johnson, C.; Johnson, M.; Johnston; Kading; Keiser; Kiefert; McWilliams; Mitskog; Mock; Nelson, J.; Nelson, M.; O'Brien; Olson; Paur; Porter; Roers Jones; Ruby, M.; Satrom; Schneider; Schreiber-Beck; Seibel; Simons; Toman; Vetter; Weisz

**NAYS:** Anderson, D.; Becker, Rich S.; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Delzer; Dockter; Grueneich; Headland; Heinert; Howe; Johnson, D.; Jones; Karls; Kasper; Kempenich; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; Meier; Monson; Oliver; Owens; Pollert; Pyle; Rohr; Ruby, D.; Sanford; Schatz; Schmidt; Schobinger; Skroch; Steiner; Streyle; Sukut; Trottier; Vigasaa; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, B.; Dobervich; Kreidt; Nathe

Engrossed HCR 3007 was declared lost on a recorded roll call vote.

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

**HB 1292:** A BILL for an Act to create and enact a new section to chapter 23-02.1 of the North Dakota Century Code, relating to issuance of a certified copy of a fetal loss; and to amend and reenact section 23-02.1-01 of the North Dakota Century Code, relating to definitions in the Heath Statistics Act.

#### **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, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore;

Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; 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:** Anderson, B.; Dobervich; Kreidt; Nathe

Engrossed HB 1292 passed.

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### SECOND READING OF HOUSE BILL

**HB 1247:** A BILL for an Act to create and enact a new section to chapter 26.1-40 of the North Dakota Century Code, relating to duplicate motor vehicle insurance coverage; and to amend and reenact subsection 4 of section 26.1-39-11, section 26.1-39-20, and subsection 5 of section 26.1-40-01 of the North Dakota Century Code, relating to termination of insurance and duplicate property insurance coverage.

### 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, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; 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:** Anderson, B.; Dobervich; Kreidt; Nathe

Engrossed HB 1247 passed.

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### SECOND READING OF HOUSE BILL

**HB 1200:** A BILL for an Act to provide for a legislative management study of the amount of state office space leased by state agencies compared to the cost of building additional office space on the capitol grounds and the capitol complex master 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 86 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Anderson, P.; Johnson, M.; Porter; Simons

**ABSENT AND NOT VOTING:** Anderson, B.; Dobervich; Kreidt; Nathe

Engrossed HB 1200 passed.

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### SECOND READING OF HOUSE BILL

**HB 1363:** A BILL for an Act to create and enact subsection 3 of section 16.1-04-01 of the North Dakota Century Code, relating to election precincts; to amend and reenact section 1-08-09, subsection 2 of section 16.1-01-01, sections 16.1-04-02 and 16.1-05-01, subsection 3 of 16.1-05-07, section 16.1-05-08, subsection 2 of 16.1-06-16, and sections 16.1-07-15, 16.1-10-06, 16.1-11-20, 40-02-10, 44-02-05, 44-02-07, and 44-02-08 of the North Dakota Century Code, relating to election polling places and filling vacancies in elective offices; and to repeal section 16.1-04-03 of the North Dakota Century Code, relating to election administration.

### 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:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; 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

**NAYS:** Ertelt

**ABSENT AND NOT VOTING:** Anderson, B.; Dobervich; Kreidt; Nathe

HB 1363 passed.

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### SECOND READING OF HOUSE BILL

**HB 1369:** A BILL for an Act to create and enact sections 16.1-01-04.1 and 16.1-01-04.2, a new subsection to section 39-06-03.1, and a new subsection to section 39-06-14 of the North Dakota Century Code, relating to identification and residency requirements for electors and identification cards; to amend and reenact sections 16.1-01-04, 16.1-01-12, 16.1-02-09, 16.1-05-07, 16.1-07-06, 16.1-15-08, 16.1-15-19, and 39-06-07.1 of the North Dakota Century Code, relating to qualifications of electors, responsibilities of election officials before issuing ballots, elector identification requirements, identification cards, and operator's licenses; 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 74 YEAS, 16 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.;

Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Monson; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Anderson, D.; Anderson, P.; Boe; Boschee; Delmore; Guggisberg; Hanson; Hogan; Holman; Johnson, M.; Kading; Mitskog; Mock; Nelson, J.; Nelson, M.; Schneider

**ABSENT AND NOT VOTING:** Anderson, B.; Dobervich; Kreidt; Nathe

HB 1369 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1184:** A BILL for an Act to amend and reenact subsections 5 and 7 of section 39-06.1-06, paragraph 33 of subdivision a of subsection 3 of section 39-06.1-10, and subdivisions g, h, and i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to statutory fees, entries against driving record, and speed limitations; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 84 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Beadle; Brabandt; Kasper; Koppelman, B.; Koppelman, K.; Olson

**NAYS:** Anderson, D.; Anderson, P.; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; O'Brien; Oliver; 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:** Anderson, B.; Dobervich; Kreidt; Nathe

HB 1184 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1362:** A BILL for an Act to amend and reenact subsection 2 of section 16.1-08.1-03.1 and subsection 1 of section 16.1-08.1-06 of the North Dakota Century Code, relating to campaign finance.

#### 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, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; 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:** Anderson, B.; Dobervich; Kreidt; Nathe

HB 1362 passed.

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

**HB 1394:** A BILL for an Act to create and enact section 51-07-28.1 of the North Dakota Century Code, relating to autonomous vehicle data ownership.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; 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; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Johnston; Kading; Louser; O'Brien; Schreiber-Beck

**ABSENT AND NOT VOTING:** Anderson, B.; Dobervich; Kreidt; Nathe

Engrossed HB 1394 passed.

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

**HB 1108:** A BILL for an Act to amend and reenact subsection 7 of section 44-04-18.4 of the North Dakota Century Code, relating to the availability of records involving security and cyber attacks.

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

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; 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

**NAYS:** Johnston

**ABSENT AND NOT VOTING:** Anderson, B.; Dobervich; Kreidt; Nathe

Engrossed HB 1108 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1150:** 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 bonus or preference points awarded to participants in lotteries for hunting licenses.

**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, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; 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:** Anderson, B.; Dobervich; Kreidt; Nathe

Engrossed HB 1150 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1249:** A BILL for an Act to amend and reenact section 39-34-06 of the North Dakota Century Code, relating to regulation of transportation network 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; 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:** Anderson, B.; Dobervich; Kreidt; Nathe

Engrossed HB 1249 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1290:** A BILL for an Act to amend and reenact sections 43-19.1-28 and 48-01.2-02.1 of the North Dakota Century Code, relating to bids and plans and specifications for public improvements; and to provide for application.

**CONFLICT OF INTEREST**

**REP. SATROM STATED** that he had a conflict of interest on HB 1290.

**MOTION**

**REP. VIGESAA MOVED** that Rep. Satrom be allowed to vote on HB 1290, which motion prevailed.

**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 29 YEAS, 61 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Brabandt; Brandenburg; Devlin; Hatlestad; Heinert; Howe; Johnson, C.; Johnson, M.; Klemin; Laning; Lefor; Longmuir; Magrum; Mitskog; Nelson, J.; Nelson, M.; O'Brien; Paur; Pyle; Ruby, D.; Ruby, M.; Sanford; Seibel; Steiner; Sukut; Trottier; Weisz; Zubke

**NAYS:** Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Carlson; Damschen; Delmore; Delzer; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Headland; Hogan; Holman; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mock; Monson; Oliver; Olson; Owens; Pollert; Porter; Roers Jones; Rohr; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Streyle; Toman; Vetter; Vigesaa; Westlind; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, B.; Dobervich; Kreidt; Nathe

HB 1290 failed.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1051, HB 1052, HB 1089, HB 1090, HB 1095, HB 1098, HB 1099, HB 1101, HB 1104, HB 1105, HB 1106, HB 1109, HB 1110, HB 1117, HB 1119, HB 1120, HB 1121, HB 1127, HB 1131.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1086, HB 1087, HB 1088, HB 1092, HB 1093, HB 1094, HB 1096, HB 1097, HB 1102, HB 1116, HB 1118, HB 1134, HB 1135.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1100, HB 1136.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1111, HB 1112, HB 1125, HB 1132, HB 1133.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2026, SB 2027, SB 2028, SB 2029, SB 2032, SB 2042, SB 2046, SB 2047, SB 2098, SB 2102, SB 2110, SB 2118, SB 2122, SCR 4001.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2097.

**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 12:30 p.m., Friday, February 3, 2017, which motion prevailed.



**REPORT OF STANDING COMMITTEE**

**HB 1045: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1045 was placed on the Sixth order on the calendar.

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

Page 1, line 1, replace the second "and" with ", subsection 7 of section 57-38-30.3, subsection 5 of section 57-38.5-01, and sections"

Page 1, line 1, remove "subsections 2"

Page 1, line 2, remove "and 3 of section"

Page 1, line 2, replace "and section" with "57-38.5-04,"

Page 1, line 2, after "57-38.5-05" insert ", and 57-38.5-06"

Page 1, line 3, replace the second "and" with "to repeal section 57-38-01.26 and chapter 57-38.5 of the North Dakota Century Code, relating to the angel fund investment tax credit and the seed capital investment tax credit;"

Page 1, line 4, after "date" insert "; to provide an expiration date; and to declare an emergency"

Page 1, line 10, replace "January 1, 2018" with "April 1, 2017"

Page 6, line 1, after "h." insert "a. An angel fund certified before April 1, 2017, shall pay a one-time surcharge of forty-five percent on the angel fund's net uninvested capital. For purposes of this subdivision, "net uninvested capital" means fifty percent of the angel fund's uninvested capital on April 1, 2017. Uninvested capital is calculated by subtracting the cumulative dollars invested by the angel fund as reported under subdivision b from the cumulative dollars invested by its investors in the fund from January 1, 2013, through March 31, 2017, as reported under subdivision i of subsection 3.

b. For each enterprise identified in the report required under subdivision j of subsection 3, the angel fund shall file a report with the tax commissioner showing the total dollars invested by the angel fund from January 1, 2013, through March 31, 2017. An angel fund may not amend the report filed under this section. The report must be filed on or before July 1, 2017.

c. The net uninvested capital surcharge must be paid on or before December 31, 2017.

d. The provisions of this chapter relating to administration, collection, and enforcement apply to the net uninvested capital surcharge.

9."

Page 6, after line 3, insert:

**"SECTION 2. AMENDMENT.** Subsection 7 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

7. A taxpayer filing a return under this section is entitled to the following tax credits:

a. Family care tax credit under section 57-38-01.20.

b. Renaissance zone tax credits under sections 40-63-04, 40-63-06, and 40-63-07.

- c. Agricultural business investment tax credit under section 57-38.6-03.
- d. ~~Seed~~Angel investor seed capital investment tax credit under section 57-38.5-03 (effective for the first three taxable years beginning after December 31, 2016).
- e. Planned gift tax credit under section 57-38-01.21.
- f. Biodiesel fuel or green diesel fuel tax credits under sections 57-38-01.22 and 57-38-01.23.
- g. Internship employment tax credit under section 57-38-01.24.
- h. Workforce recruitment credit under section 57-38-01.25.
- i. Angel fund investment tax credit under section 57-38-01.26 (effective for the first three taxable years beginning after December 31, 2016).
- j. Microbusiness tax credit under section 57-38-01.27.
- k. Marriage penalty credit under section 57-38-01.28.
- ~~l. Homestead income tax credit under section 57-38-01.29.~~
- ~~m. Commercial property income tax credit under section 57-38-01.30.~~
- ~~n. Research and experimental expenditures under section 57-38-30.5.~~
- ~~o.m.~~ Geothermal energy device installation credit under section 57-38-01.8.
- ~~p.n.~~ Long-term care partnership plan premiums income tax credit under section 57-38-29.3.
- ~~q.o.~~ Employer tax credit for salary and related retirement plan contributions of mobilized employees under section 57-38-01.31.
- ~~r.p.~~ Automating manufacturing processes tax credit under section 57-38-01.33 (effective for the first five taxable years beginning after December 31, 2012).
- ~~s.q.~~ Income tax credit for passthrough entity contributions to private education institutions under section 57-38-01.7.

**SECTION 3. AMENDMENT.** Subsection 5 of section 57-38.5-01 of the North Dakota Century Code is amended and reenacted as follows:

- 5. "Qualified business" means a business other than a real estate investment trust which is a primary sector business that:
  - a. Is incorporated or its satellite operation is incorporated as a for-profit corporation, passthrough entity, or joint venture;
  - b. Is in compliance with the requirements for filings with the securities commissioner under the securities laws of this state;
  - c. Has North Dakota residents as a majority of its employees in the North Dakota principal office or the North Dakota satellite operation;
  - d. Has its principal office in this state and has the majority of its business activity performed in this state, except sales activity, or has a significant operation in North Dakota that has at least two employees and is projected to have more than ten employees ~~or one hundred fifty thousand dollars of sales annually;~~ and

- e. Relies on innovation, research, or the development of new products and processes in its plans for growth and profitability."

Page 6, line 22, remove the overstrike over "~~five hundred thousand~~"

Page 6, line 22, remove "four million"

Page 7, replace lines 1 through 9 with:

**"SECTION 5. AMENDMENT.** Section 57-38.5-03 of the North Dakota Century Code is amended and reenacted as follows:

**57-38.5-03. Seed~~Angel investor seed~~ capital investment tax credit.**

If a taxpayer makes a qualified investment in a qualified business, the taxpayer is entitled to a credit against state income tax liability under section 57-38-30 or 57-38-30.3.

1. The amount of the credit to which a taxpayer is entitled is ~~forty-five~~twenty-five percent of the amount invested by the taxpayer in qualified businesses during the taxable year.
2. The maximum annual credit a taxpayer may claim under this section is not more than one hundred twelve thousand five hundred dollars. This subsection may not be interpreted to limit additional investment by a taxpayer for which that taxpayer is not applying for a credit.
3. Any amount of credit under subsection 1 not allowed because of the limitation in subsection 2 may be carried forward for up to ~~four~~five taxable years after the taxable year in which the investment was made.
4. A passthrough entity that invests in a qualified business must be considered to be the taxpayer for purposes of the investment limitations in this section and the amount of the credit allowed with respect to a passthrough entity's investment in a qualified business must be determined at the passthrough entity level. The amount of the total credit determined at the passthrough entity level must be allowed to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity.
5. An investment made in a qualified business from the assets of a retirement plan is deemed to be the retirement plan participant's investment for the purpose of this chapter if a separate account is maintained for the plan participant and the participant directly controls where the account assets are invested.
6. The investment must be made on or after the certification effective date and must be at risk in the business to be eligible for the tax credit under this section. An investment for which a credit is received under this section must remain in the business for at least three years. Investments placed in escrow do not qualify for the credit.
7. The entire amount of an investment for which a credit is claimed under this section must be expended by the qualified business for plant, equipment, research and development, marketing and sales activity, or working capital for the qualified business.
8. A taxpayer who owns a controlling interest in the qualified business or who receives more than fifty percent of the taxpayer's gross annual income from the qualified business is not entitled to a credit under this section. A member of the immediate family of a taxpayer disqualified by this subsection is not entitled to the credit under this section. For purposes of this subsection, "immediate family" means the taxpayer's spouse, parent, sibling, or child or the spouse of any such person.

9. The tax commissioner may disallow any credit otherwise allowed under this section if any representation by a business in the application for certification as a qualified business proves to be false or if the taxpayer or qualified business fails to satisfy any conditions under this section or any conditions consistent with this section otherwise determined by the tax commissioner. The commissioner has four years after the due date of the return or after the return was filed, whichever period expires later, to audit the credit and assess additional tax that may be found due to failure to comply with the provisions of this chapter. The amount of any credit disallowed by the tax commissioner that reduced the taxpayer's income tax liability for any or all applicable tax years, plus penalty and interest as provided under section 57-38-45, must be paid by the taxpayer.
10. An angel fund that invests in a qualified business must be considered to be the taxpayer for purposes of the investment limitations in this section. The amount of the credit allowed with respect to an angel fund's investment in a qualified business must be determined at the angel fund level. The amount of the total credit determined at the angel fund level must be allowed to the investors in the angel fund in proportion to the investor's respective interests in the fund. An angel fund that is subject to the tax imposed under chapter 57-38 or which was certified under section 57-38-01.26 before April 1, 2017, unless the angel fund pays the surcharge under subsection 8 of section 57-38-01.26, is not eligible for the investment tax credit under this chapter.

**SECTION 6. AMENDMENT.** Section 57-38.5-04 of the North Dakota Century Code is amended and reenacted as follows:

**57-38.5-04. Taxable year for angel investor seed capital investment tax credit.**

The tax credit under section 57-38.5-03 must be credited against the taxpayer's income tax liability for the taxable year in which the investment in the qualified business was received by the qualified business."

Page 7, line 12, overstrike "**Seed**" and insert immediately thereafter "**Angel investor seed**"

Page 7, line 13, after "of" insert "angel investor"

Page 7, line 14, replace "fifteen" with "ten"

Page 7, after line 18, insert:

**"SECTION 8. AMENDMENT.** Section 57-38.5-06 of the North Dakota Century Code is amended and reenacted as follows:

**57-38.5-06. SeedAngel investor seed capital investment tax credit - Procedure - Rules.**

To receive the tax credit provided by section 57-38.5-03, a taxpayer must claim the credit on the taxpayer's annual state income tax return in the manner prescribed by the tax commissioner and file with the return a copy of the form issued by the qualified business as to the taxpayer's investment in the qualified business under section 57-38.5-07.

**SECTION 9. REPEAL.** Section 57-38-01.26 and chapter 57-38.5 of the North Dakota Century Code are repealed."

Page 7, line 19, replace "This" with "Section 9 of this Act is effective for taxable years beginning after December 31, 2019, and sections 2 through 8 of this"

Page 7, line 19, replace "is" with "are"

Page 7, line 20, replace "2017" with "2016"

Page 7, after line 20, insert:

**"SECTION 11. EMERGENCY.** Section 1 of this Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1193: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1193 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and"

Page 1, line 4, after "penalty" insert "; and to declare an emergency"

Page 2, line 13, replace "an individual" with "a person"

Page 2, after line 24, insert:

**"SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1264: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1264 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1265: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1265 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1274: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1274 was placed on the Sixth order on the calendar.

Page 1, line 1, after "section" insert "52-04-07 and subsection 2 of section"

Page 1, line 2, after "to" insert "benefits paid and"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Subsection 2 of section 52-04-07 of the North Dakota Century Code is amended and reenacted as follows:

2. Notwithstanding subsection 1, an employer's account may not be charged for any of the following:
  - a. With benefits paid to an individual for unemployment that is directly caused by a major natural disaster declared by the president pursuant to section 102(2) of the Disaster Relief Act of 1974 [Pub. L. 93-288; 88 Stat. 143; 42 U.S.C. 5122(2)], if the individual would have been eligible for disaster unemployment assistance with respect to that unemployment but for the individual's receipt of unemployment insurance benefits.
  - b. With benefits paid to an individual who:

- (1) Left the employment of the base-period employer voluntarily without good cause or with good cause not involving fault on the part of the base-period employer;
  - (2) Was discharged from employment by the base-period employer for misconduct; or
  - (3) Was separated from employment with the most recent employer for reasons directly attributable to domestic violence, stalking, or sexual assault.
- c. As provided under section 52-06-29.
  - d. With benefits paid to an individual who is in training with the approval of job service North Dakota.
  - e. With benefits paid to an individual who is subsequently determined not entitled to receive the benefits.
  - f. With benefits paid to an individual who is currently employed part time with that employer when the hiring agreement between the individual and the employer has not changed since the individual commenced work for that employer. This subdivision does not apply to an employee of a temporary help firm.
  - g. With benefits paid to an individual who was separated from employment with the most recent employer for reasons directly attributable to newly imposed or modified court imposed restrictions limiting the individual's ability to perform services."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1293: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1293 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "criminal trespass" with "trespassing on posted property"

Page 1, line 6, after "**trespass**" insert "**- Noncriminal offense on posted property**"

Page 1, line 15, overstrike "is guilty of a class B misdemeanor if, knowing that that individual is not"

Page 1, line 16, overstrike "licensed or privileged to do so, the individual enters or remains in"

Page 1, line 16, remove "a"

Page 1, line 16, overstrike "place as to"

Page 1, overstrike lines 17 through 19

page 1, line 20, overstrike "posting the premises must appear on each sign in legible characters" and insert immediately thereafter "knowing the individual is not licensed or privileged to do so, may not enter or remain in a place as to which notice against trespass is given by posting in a manner reasonably likely to come to the attention of intruders. The name of the person posting the premises must appear on each sign in legible characters. A violation of this subsection is a noncriminal offense.

- a. A peace officer shall cite an individual who violates this subsection with a fine of two hundred fifty dollars for each violation.
- b. The peace officer citing the individual shall:

- (1) Take the name and address of the individual; and
- (2) Notify the individual of the right to request a hearing if posting bond by mail.
- c. The peace officer may not take the individual into custody or require the individual to proceed with the peace officer to any other location for the purpose of posting bond. The officer shall provide the individual with an envelope for use in mailing the bond.
- d. An individual cited may appear before the designated official and pay the statutory fine for the violation at or before the time scheduled for hearing.
- e. If the individual has posted bond, the individual may forfeit bond by not appearing at the designated time.
- f. If the individual posts bond by mail, the bond must be submitted within fourteen days of the date of the citation and the individual cited shall indicate on the envelope or citation whether a hearing is requested. If the individual does not request a hearing within fourteen days of the date of the citation, the bond is deemed forfeited and the violation admitted. If the individual requests a hearing, the court for the county in which the citation is issued shall issue a summons to the individual requesting the hearing notifying the individual of the date of the hearing before the designated official.
- g. Upon appearing at the hearing scheduled in the citation or otherwise scheduled at the individual's request, the individual may make a statement in explanation of the individual's action. The official may at that time waive or suspend the statutory fine or bond. If the individual cited follows the foregoing procedures, the individual is deemed to have admitted the violation and to have waived the right to a hearing on the issue of commission of the violation.
- h. A citing peace officer may not receive the statutory fine or bond"

Page 1, line 21, remove "a."

Page 1, line 21, overstrike "An individual who violates this subsection is guilty of a class A misdemeanor for"

Pave 1, overstrike line 22

Page 2, remove lines 1 and 2

Renumber accordingly

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

**HB 1304: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1304 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to prohibiting the wearing of masks, hoods, and face coverings during the commission of a criminal offense; to provide a penalty; and to declare an emergency.

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

**SECTION 1.** A new section to chapter 12.1-31 of the North Dakota Century Code is created and enacted as follows:

**Wearing of masks during commission of criminal offense prohibited.**

1. An individual may not wear a mask, hood, or other device that covers, hides, or conceals any portion of that individual's face for the purpose of:
  - a. Evading or escaping discovery, recognition, or identification during the commission of a criminal offense; or
  - b. Concealment, flight, or escape when the individual has been charged with, arrested for, or convicted of a criminal offense.
2. A violation of this section is a class A misdemeanor.

**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1324: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1324 was placed on the Sixth order on the calendar.

Page 7, remove lines 24 and 25

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1333: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1333 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "**Exempt**" with "**Confidential**"

Page 1, line 8, replace "'hiring" with "unless context otherwise requires:

a. "Hiring"

Page 1, line 10, remove "a"

Page 1, line 10, remove ", vice president, provost, dean,"

Page 1, line 11, replace "athletic director, or head coach at" with "of"

Page 1, after line 12, insert:

"b. "Finalist" means an applicant or candidate for the position of commissioner of higher education or president of an institution under the control of the state board of higher education who is selected to be interviewed and agrees to be interviewed by the hiring authority prior to the selection of the commissioner or president."

Page 1, line 13, replace "Except as otherwise provided in this section, a" with "A"

Page 1, line 15, remove "a"

Page 1, line 15, remove ", vice president, provost, dean,"

Page 1, line 16, replace "athletic director, or head coach at" with "of"

Page 1, line 17, replace "an exempt" with "a confidential"



Page 1, line 17, replace "as defined in section 44-04-17.1" with "until the individual becomes a finalist"

Page 1, line 20, remove "Once the hiring authority reduces the number of applicants or candidates to three or"

Page 1, remove lines 21 through 24

Page 2, remove lines 1 through 13

Page 2, line 14, remove "5."

Page 2, line 16, replace "exempt" with "confidential"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1358: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1358 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the use of open educational resources in the elementary and secondary school system."

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - KINDERGARTEN THROUGH GRADE TWELVE OPEN EDUCATIONAL RESOURCES USAGE AND DEVELOPMENT.** During the 2017-18 interim, the legislative management shall consider studying the use of open educational resources in the elementary and secondary school system. The study must include an analysis of potential cost savings for school districts and the department of public instruction; the availability of private sector partnerships that can aid in the development, adoption, implementation, and funding of open educational resources; and the steps necessary to establish North Dakota as a #GoOpen state with the United States department of education. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1365: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1365 was placed on the Sixth order on the calendar.

Page 1, line 2, after "decisions" insert "; and to declare an emergency"

Page 1, line 8, after "physician's" insert "or advanced practice registered nurse's"

Page 1, line 8, after "recommendation" insert "when the power to provide forced medication is specifically included in the guardianship order"

Page 1, after line 10, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1378: Industry, Business and Labor Committee (Rep. Keiser, Chairman)**

recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1378 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "lighting"

Page 1, line 2, after "detection" insert "lighting"

Page 1, line 6, remove "lighting"

Page 1, line 6, after "detection" insert "lighting"

Page 1, line 7, replace "2018" with "2019"

Page 1, line 9, remove "lighting"

Page 1, line 9, after "detection" insert "lighting"

Page 1, line 10, remove "lighting"

Page 1, line 10, after "detection" insert "lighting"

Renumber accordingly

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

**HB 1383: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1383 was placed on the Eleventh order on the calendar.

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

**HB 1388: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1388 was placed on the Eleventh order on the calendar.

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

**HB 1426: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1426 was placed on the Eleventh order on the calendar.

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

**HB 1429: Education Committee (Rep. Owens, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1429 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**