

## JOURNAL OF THE HOUSE

## Sixty-fifth Legislative Assembly

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Bismarck, March 3, 2017

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

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

The roll was called and all members were present except Representatives Delmore, Holman, Keiser, and Kreidt.

A quorum was declared by the Speaker.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 2, 2017, I have signed the following: HB 1051, HB 1086, HB 1087, HB 1088, HB 1089, HB 1092, HB 1093, HB 1094, HB 1095, HB 1099, HB 1101, HB 1104, HB 1105, HB 1109, HB 1112, HB 1117, HB 1118, HB 1125, HB 1127, HB 1131, HB 1132, and HB 1135.

**SECOND READING OF HOUSE RESOLUTION ON CONSENT CALENDAR**

**HCR 3026:** A concurrent resolution requesting the Legislative Management to consider studying the membership and state supervision of the state's occupational and professional licensing boards in order to retain antitrust law immunity.

The question being on the final adoption of the resolution, which has been read.

HCR 3026 was declared adopted on a voice vote.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3030:** A concurrent resolution requesting the Legislative Management to consider studying the growing wealth and income inequality in North Dakota and its impact on families and the economy of the state.

**ROLL CALL**

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

**YEAS:** Anderson, P.; Becker, Rich S.; Boe; Boschee; Dobervich; Guggisberg; Hanson; Hogan; Mitskog; Mock; Nelson, M.; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; 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

**ABSENT AND NOT VOTING:** Delmore; Holman; Keiser; Kreidt

HCR 3030 was declared lost on a recorded roll call vote.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3032:** A concurrent resolution requesting the Legislative Management to consider studying methods of workforce expansion, enhancement, enlistment, and retention through educational programs and supports.

**ROLL CALL**

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 14 YEAS, 76 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Boe; Boschee; Dobervich; Guggisberg; Hanson; Hogan; Johnson, M.; Mitskog; Mock; Nelson, M.; O'Brien; Schneider

**NAYS:** Anderson, B.; Anderson, D.; 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; Kading; Karls; Kasper; Kempenich; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; 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

**ABSENT AND NOT VOTING:** Delmore; Holman; Keiser; Kreidt

HCR 3032 was declared lost on a recorded roll call vote.

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**MOTION**

**REP. KEMPENICH MOVED** that the House reconsider its action whereby SB 2112 failed to pass.

**REQUEST**

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

**ROLL CALL**

The question being on the motion to reconsider the action whereby SB 2112 failed to pass, the roll was called and there were 53 YEAS, 37 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, P.; Beadle; Becker, Rick C.; Blum; Bosch; Boschee; Brandenburg; Carlson; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Hogan; Howe; Johnson, C.; Johnson, M.; Jones; Kading; Kempenich; Klemm; Koppelman, K.; Lefor; Longmuir; Maragos; Mitskog; Mock; Nathe; Nelson, M.; O'Brien; Olson; Owens; Porter; Roers Jones; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schreiber-Beck; Seibel; Steiner; Sukut; Toman; Trottier; Vigasaa; Weisz; Zubke

**NAYS:** Anderson, D.; Becker, Rich S.; Boe; Boehning; Brabandt; Damschen; Delzer; Heinert; Johnson, D.; Johnston; Karls; Kasper; Kiefert; Koppelman, B.; Laning; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Monson; Nelson, J.; Oliver; Paur; Pollert; Pyle; Rohr; Ruby, D.; Schatz; Schobinger; Simons; Skroch; Streyle; Vetter; Westlind; Speaker Bellew

**ABSENT AND NOT VOTING:** Delmore; Holman; Keiser; Kreidt

The motion prevailed on a recorded roll call vote.

**SECOND READING OF SENATE BILL**

**SB 2112:** A BILL for an Act to amend and reenact subsection 5 of section 57-39.4-19 and sections 57-39.4-29 and 57-39.4-33.4 of the North Dakota Century Code, relating to

uniform tax returns, the taxability matrix, and tax administration practices under the sales and use tax agreement.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 57 YEAS, 33 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Bosch; Boschee; Brandenburg; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, M.; Jones; Kading; Kempenich; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Maragos; Martinson; Mitskog; Mock; Nathe; Nelson, M.; O'Brien; Olson; Owens; Porter; Pyle; Roers Jones; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Sukut; Toman; Trottier; Zubke

**NAYS:** Becker, Rick C.; Boe; Boehning; Brabandt; Carlson; Damschen; Delzer; Johnson, D.; Johnston; Karls; Kasper; Kiefert; Louser; Magrum; Marschall; McWilliams; Meier; Monson; Nelson, J.; Oliver; Paur; Pollert; Rohr; Ruby, D.; Schatz; Simons; Skroch; Streyle; Vetter; Vigasaa; Weisz; Westlind; Speaker Bellew

**ABSENT AND NOT VOTING:** Delmore; Holman; Keiser; Kreidt

SB 2112 passed.

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#### SECOND READING OF SENATE BILL

**SB 2129:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to refunds for sales, use, farm machinery gross receipts, and alcoholic beverage gross receipts taxes; to amend and reenact subdivision ee of subsection 2 of section 12-60-24, sections 57-01-13 and 57-37.1-06, subsection 2 of section 57-39.2-11, and sections 57-39.2-27, 57-40.2-17, and 57-40.3-09 of the North Dakota Century Code, relating to criminal history record checks, alcoholic beverage gross receipts taxes, estate tax return filing requirements, sales and use taxes, and motor vehicle excise tax credits; to repeal section 57-39.2-24 of the North Dakota Century Code, relating to refunds for sales, use, farm machinery gross receipts, and alcoholic beverage gross receipts taxes; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; 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; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Delmore; Holman; Keiser; Kreidt

Engrossed SB 2129 passed.

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#### SECOND READING OF SENATE BILL

**SB 2030:** A BILL for an Act to amend and reenact subsection 14 of section 10-04-05,

subsection 14 of section 10-04-06, subdivision b of subsection 12 of section 15-39.1-04, subdivision a of subsection 1 of section 15-39.1-05.1, subsection 3 of section 15.1-01-01, subdivision e of subsection 2 of section 15.1-02-21, and subdivision b of subsection 5 of section 15.1-06-18 of the North Dakota Century Code, relating to updating statutory references to the North Dakota education association; and to repeal section 15.1-32-23 of the North Dakota Century Code, relating to the credentialing process for special education teachers.

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

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

**NAYS:** Becker, Rick C.; Boehning; Carlson; Delzer; Ertelt; Johnston; Kasper; Koppelman, B.; Laning; Schatz; Simons; Steiner; Toman; Speaker Bellew

**ABSENT AND NOT VOTING:** Delmore; Holman; Keiser; Kreidt

Engrossed SB 2030 passed.

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#### SECOND READING OF SENATE BILL

**SB 2091:** A BILL for an Act to amend and reenact subsection 3 of section 15.1-21-02.2, subsection 3 of section 15.1-21-02.4, and subsection 3 of section 15.1-21-02.5 of the North Dakota Century Code, relating to required science units for high school graduation and scholarships.

#### 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; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; 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; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Delmore; Holman; Keiser; Kreidt

SB 2091 passed.

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#### SECOND READING OF SENATE BILL

**SB 2114:** A BILL for an Act to amend and reenact subsection 15 of section 27-20-02, subsection 2 of section 27-20-32.2, subsection 9 of section 50-11-00.1, and section

50-11-03.3 of the North Dakota Century Code, relating to the definition of permanency hearing, reasonable efforts for sibling placement, definition of group home, and liability coverage to foster homes for children.

#### 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 65 YEAS, 24 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Becker, Rich S.; Blum; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Klemin; Laning; Lefor; Longmuir; Louser; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Sukut; Trottier; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Beadle; Becker, Rick C.; Brabandt; Delzer; Devlin; Ertelt; Johnston; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Magrum; Marschall; Oliver; Ruby, M.; Schatz; Seibel; Simons; Skroch; Streyle; Toman; Vetter; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Delmore; Holman; Keiser; Kreidt

SB 2114 passed.

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#### SECOND READING OF SENATE BILL

**SB 2128:** A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-10 and section 57-40.2-09 of the North Dakota Century Code, relating to record retention for sales and use tax purposes.

#### 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 21 YEAS, 68 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Boschee; Dobervich; Dockter; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Longmuir; Maragos; Mitskog; Mock; Nathe; Schneider; Steiner; Trottier; Zubke

**NAYS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Ertelt; Grueneich; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; 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; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Streyle; Sukut; Toman; Vetter; Vigesaa; Weisz; Westlind; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Delmore; Holman; Keiser; Kreidt

SB 2128 failed.

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#### SECOND READING OF SENATE BILL

**SB 2105:** A BILL for an Act to create and enact a new section to chapter 10-04 and a new section to chapter 26.1-26 of the North Dakota Century Code, relating to exemption of agent or investment adviser representatives and insurance producer records; and to amend and reenact subsection 2 of section 26.1-02-30 of the North Dakota Century Code, relating to exemption of personal, financial, or health records.

**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; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; 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; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Delmore; Holman; Keiser; Kreidt

SB 2105, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2222:** A BILL for an Act to amend and reenact section 21-02-06 of the North Dakota Century Code, relating to uncollected taxes.

**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, 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; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; 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; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Boe; Delmore; Holman; Keiser; Kreidt

SB 2222 passed.

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**SECOND READING OF SENATE BILL**

**SB 2160:** A BILL for an Act to amend and reenact sections 11-18-01 and 57-28-04 of the North Dakota Century Code, relating to the duties of a recorder and providing notice of foreclosure of tax liens; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin;

Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; 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:** Boe; Delmore; Holman; Keiser; Kreidt

Engrossed SB 2160 passed.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SB 2108, SB 2109, SB 2122, SB 2126, SB 2140.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, unchanged: HB 1102.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1100, HB 1133.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1096, HB 1110.

#### **SENATE AMENDMENTS TO HOUSE BILL NO. 1096**

Page 1, line 2, after "compact" insert "; and to amend and reenact section 43-12.1-09.1 of the North Dakota Century Code, relating to criminal history record checks"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Section 43-12.1-09.1 of the North Dakota Century Code is amended and reenacted as follows:

#### **43-12.1-09.1. Nursing licensure or registration - Criminal history record checks.**

The board shall require each applicant for initial licensure and registration, including applicants for a multistate license under section 2 of this Act, to submit to a statewide and nationwide criminal history record check. The board may require any licensee or registrant who is renewing a license or registration, including renewal of a multistate license under section 2 of this Act, and any licensee or registrant who is the subject of a disciplinary investigation or proceeding to submit to a statewide and nationwide criminal history record check. The nationwide criminal history record check must be conducted in the manner provided by section 12-60-24. All costs associated with obtaining a background check are the responsibility of the applicant, licensee, or registrant. The board may grant a nonrenewable temporary permit to an applicant for initial or renewed license or registration who submits to a criminal history record check as required by this chapter if the applicant has met all other licensure or registration requirements in accordance with subsection 2 of section 43-12.1-09. The board may not share with, or disclose to, the interstate commission of nurse licensure compact administrators any contents of a nationwide criminal history record check."

Renumber accordingly

#### **SENATE AMENDMENTS TO HOUSE BILL NO. 1110**

Page 1, line 15, after the underscored period insert "If the department requires engineering or contracting services for a project under this section, it may provide the services or procure the services in accordance with section 24-02-07.3 and 24-02-17."

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1052, HB 1106, HB 1108, HB 1111, HB 1119, HB 1136.

**MOTION**

**REP. VIGESAA MOVED** that the absent members be excused, which motion prevailed on a voice vote.

**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., Monday, March 6, 2017, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2045: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2045 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2051: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2051 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2089: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2089 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2097, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2097 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2102: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2102 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2104: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2104 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2107, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2107 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2136: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2136 was placed on the Sixth order on the calendar.

Page 1, line 17, after "year" insert "and the term of one or more commissioners may initially be less than five years to accommodate the required staggering of terms"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2239: Transportation Committee (Rep. D. Ruby, Chairman)** recommends



**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2239 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 20.1-03-12 of the North Dakota Century Code, relating to fees charged for watercraft for hire; to repeal section 20.1-13-04 of the North Dakota Century Code, relating to annual inspections for watercraft for hire; and to declare an emergency.

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

**SECTION 1. AMENDMENT.** Section 20.1-03-12 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-03-12. Schedule of fees for licenses and permits.**

The fees collected under this section for licenses and permits must be deposited with the state treasurer and credited to the game and fish fund. Forty-five dollars of each nonresident big game hunting license fee must be used for the private land initiative. The various license and permit fees are as follows:

1. For a resident, age sixteen and over, small game hunting license, ten dollars.
2. For a nonresident small game hunting license, one hundred dollars.
3. For a resident big game hunting license, thirty dollars, except the fee for a licensee under age sixteen is ten dollars, except as provided in a gubernatorial proclamation issued pursuant to section 20.1-08-04.1.
4. Except for a nonresident who participates on the same basis as a resident in a lottery for deer licenses remaining after the second lottery for residents under subsection 4 of section 20.1-03-11, for a nonresident big game hunting license, two hundred fifty dollars, and for a nonresident bow license, two hundred fifty dollars, and a nonrefundable five dollar application fee must accompany any lottery license fee under this subsection, except as provided in a gubernatorial proclamation issued pursuant to section 20.1-08-04.1. For a nonresident who participates on the same basis as a resident in a lottery for deer licenses remaining after the second lottery for residents, fifty dollars.
5. For a resident fur-bearer license, fifteen dollars.
6. For a resident fishing license, sixteen dollars, except that for a resident sixty-five years or over, a resident totally or permanently disabled, or a resident disabled veteran who has a fifty percent service-connected disability as determined by the department of veterans' affairs or has an extra-schedular rating to include individual unemployability that brings the veteran's total disability ratio to fifty percent, the license fee is five dollars.
7. For a nonresident fishing license, forty-five dollars.
8. For a resident husband and wife fishing license, twenty-two dollars.
9. For a nonresident nongame hunting license, fifteen dollars.
10. For a resident wild turkey permit, fifteen dollars.
11. For an annual general game license, three dollars.
12. For a license to a nonresident buyer or shipper of green furs, or that person's agent, the amount that the nonresident buyer or shipper of green furs would pay for a nonresident buyer or shipper of green furs

license or comparable license in that person's state of residence, or fifty dollars, whichever is greater.

13. For a license to a resident buyer or shipper of green furs, eight dollars for each place of business maintained by that person within this state.
14. For a license to a resident traveling agent, buyer, or shipper of green furs, twenty dollars.
15. For an annual license to practice taxidermy, twenty-five dollars.
16. For a permit to ship, by a person having a resident hunting license, during the respective open seasons, not to exceed in any one season twenty-five game birds, to points within this state other than that person's home or to points outside this state, three dollars.
17. For a permit to make collections of protected birds and animals for scientific purposes, ten dollars.
18. For a motorboat certificate of number and license: Each motorboat under sixteen feet [4.88 meters] in length, and all canoes, regardless of length, powered by a motor, eighteen dollars. Each motorboat sixteen feet [4.88 meters] in length and over but shorter than twenty feet [6.1 meters] in length, excluding canoes, thirty-six dollars. Each motorboat twenty feet [6.1 meters] in length or over excluding canoes, forty-five dollars.
19. ~~To operate watercraft used for hire, the following license fees apply for three years:~~
  - ~~Class 1. Each craft capable of carrying two adults of average weight, six dollars.~~
  - ~~Class 2. Each craft capable of carrying three adults of average weight, six dollars.~~
  - ~~Class 3. Each craft capable of carrying four adults of average weight, six dollars.~~
  - ~~Class 4. Each craft capable of carrying five adults of average weight, six dollars.~~
  - ~~Class 5. Each craft capable of carrying up to eight adults of average weight, nine dollars.~~
  - ~~Class 6. Each craft capable of carrying up to ten adults of average weight, twelve dollars.~~
  - ~~Class 7. Each craft capable of carrying up to fifteen adults of average weight, twenty-four dollars.~~
  - ~~Class 8. Each craft capable of carrying sixteen or more adults of average weight, thirty dollars.~~
20. For the taking of undesirable fish from the waters of this state pursuant to section 20.1-06-05, fifteen dollars for each hoop-net or trap, and fifteen dollars for each seine of fifty feet [15.24 meters] or any fraction thereof.
- ~~21-20.~~ For a resident paddlefish tag annual license, ten dollars per tag.
- ~~22-21.~~ For a nonresident paddlefish tag annual license, twenty-five dollars and fifty cents per tag.
- ~~23-22.~~ For an annual resident license to sell minnows or other live bait at wholesale, fifty dollars.

- ~~24-23.~~ For an annual license to sell minnows or other live bait at retail, fifteen dollars, except the fee is seventy-five dollars if white suckers are sold.
- ~~25-24.~~ For an annual license to operate a private fish hatchery, seventy-five dollars.
- ~~26-25.~~ For a resident commercial frog license, fifty dollars.
- ~~27-26.~~ For a nonresident commercial frog license, two hundred dollars.
- ~~28-27.~~ For a resident frog license, three dollars.
- ~~29-28.~~ For a resident husband and wife frog license, five dollars.
- ~~30-29.~~ For a shooting preserve operating permit, one hundred dollars, plus thirty cents per acre [.40 hectare] for each acre [.40 hectare].
- ~~31-30.~~ For a nonresident waterfowl hunting license, one hundred dollars.
- ~~32-31.~~ For a nonresident husband and wife fishing license, sixty dollars.
- ~~33-32.~~ For a nonresident short-term three-day fishing license, twenty-five dollars.
- ~~34-33.~~ For a nonresident fur-bearer and nongame hunting license, forty dollars.
- ~~35-34.~~ For a combination license, fifty dollars.
- ~~36-35.~~ For a white-tailed deer license sold to certified guides or outfitters and provided by them to nonresidents, two hundred fifty dollars.
- ~~37-36.~~ For a resident swan license, ten dollars.
- ~~38-37.~~ For a nonresident swan license, thirty dollars.
- ~~39-38.~~ For a resident sandhill crane license, ten dollars.
- ~~40-39.~~ For a nonresident sandhill crane license, thirty dollars.
- ~~41-40.~~ For a resident commercial clam license, one hundred dollars.
- ~~42-41.~~ For a nonresident commercial clam license, one thousand dollars.
- ~~43-42.~~ For a commercial clam dealer's permit, two thousand dollars. In addition, the applicant shall submit to the director a surety bond in the sum of two thousand dollars.
- ~~44-43.~~ For an annual class B nonresident license to sell minnows or other live bait at wholesale, two hundred fifty dollars.
- ~~45-44.~~ For a bighorn sheep license issued to a nonresident, five hundred dollars.
- ~~46-45.~~ For a nonresident reciprocal trapping license, three hundred fifty dollars.
- ~~47-46.~~ For a nonresident spring white goose license, fifty dollars.
- ~~48-47.~~ For a resident certificate fee, one dollar, and for a nonresident certificate fee, two dollars. An agent may not charge a service fee for issuing a resident or nonresident certificate fee.
- ~~49-48.~~ For a nonresident short-term ten-day fishing license, thirty-five dollars.
- ~~50-49.~~ For a nonresident wild turkey permit, eighty dollars.

- ~~51-50.~~ For a statewide nonresident waterfowl hunting license, one hundred fifty dollars.
- ~~52-51.~~ For an annual class A nonresident license to sell minnows or other live bait at wholesale, five hundred dollars.
- ~~53-52.~~ For a resident early Canada goose season license, five dollars.
- ~~54-53.~~ For a nonresident early Canada goose season license, fifty dollars.
- ~~55-54.~~ For a resident disabled veteran combined general game, habitat stamp, small game, and fur-bearer license, three dollars.

~~The fees for these licenses and permits must be deposited with the state treasurer and credited to the game and fish fund. Forty-five dollars of each nonresident big game hunting license fee must be used for the private land initiative.~~

**SECTION 2. REPEAL.** Section 20.1-13-04 of the North Dakota Century Code is repealed.

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

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2259: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2259 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2282, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2282 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2299: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2299 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2312, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2312 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2318: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). SB 2318 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2334: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2334 was placed on the Sixth order on the calendar.

Page 1, line 7, after "legislative" insert "assembly"

Page 1, line 7, after "hall" insert "on the west, past the double stairway."

Page 1, line 7, replace the second "to" with "on"

Page 1, line 8, replace "of the double stairway are" with ". is"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3025: Energy and Natural Resources Committee (Rep. Porter, Chairman)**  
recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING).  
HCR 3025 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3027: Energy and Natural Resources Committee (Rep. Porter, Chairman)**  
recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR**  
(12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3027 was placed on the  
Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3031: Energy and Natural Resources Committee (Rep. Porter, Chairman)**  
recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR**  
(12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3031 was placed on the  
Tenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**

