

## JOURNAL OF THE HOUSE

## Sixty-fifth Legislative Assembly

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Bismarck, March 7, 2017

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

The prayer was offered by Sister Anna Rose, Saint Vincent's Care Center, Bismarck.

The roll was called and all members were present except Representatives B. Anderson, Devlin, and Louser.

A quorum was declared by the Speaker.

## POINT OF PERSONAL PRIVILEGE

**REP. CARLSON** rose on a point of personal privilege.

## REMARKS OF REPRESENTATIVE CARLSON

**MR. SPEAKER:** Dwayne Walker with KFYZ TV has covered the North Dakota legislature for 25 sessions or 50 years. He and KFYZ are responsible for TV cameras being allowed in the House and Senate. Walker plans to retire fulltime after this session is over. He has only missed one opening day of a legislative session and one closing sine die. Today, March 7, 2017 is his 70th birthday, so we want to recognize him for his years of service to the state legislature, the state of North Dakota, and the city of Bismarck.

His wife, Renae, and some of his children and grandchildren are in attendance here today.

## REQUEST

**REP. MOCK REQUESTED** that the remarks of Rep. Carlson be printed in the Journal, which request was granted on a voice vote.

## MOTION

**REP. VIGESAA MOVED** to temporarily amend HR 509 to read "forty-fifth legislative day" instead of "fortieth legislative day" as the deadline for the reporting back of resolutions that direct an interim study by the Legislative Management or that propose an amendment to the Constitution of the United States or the Constitution of North Dakota., which motion prevailed on a voice vote.

## SIXTH ORDER OF BUSINESS

**SPEAKER BELLEW DEEMED** approval of the amendments to Engrossed SB 2197, SB 2247, SB 2265, and Engrossed SB 2341.

Engrossed SB 2197, SB 2247, SB 2265, and Engrossed SB 2341, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## SECOND READING OF SENATE BILL

**SB 2282:** A BILL for an Act to amend and reenact section 20.1-08-04.5 of the North Dakota Century Code, relating to the use of scopes on muzzleloading firearms for individuals over sixty-five years of age.

## 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 44 YEAS, 47 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Becker, Rick C.; Blum; Boehning; Boschee; Brabandt; Brandenburg; Delmore; Dobervich; Ertelt; Grueneich; Guggisberg; Hanson; Headland; Hogan; Howe; Johnson, M.; Johnston; Jones; Kasper; Keiser; Kiefert; Magrum; McWilliams; Mitskog; Mock; Nelson, J.; O'Brien; Oliver; Olson; Owens; Pollert; Pyle; Ruby, D.; Ruby, M.; Sanford; Satrom; Simons; Skroch; Trottier; Vetter; Weisz; Westlind;

Speaker Bellew

**NAYS:** Anderson, D.; Beadle; Becker, Rich S.; Boe; Bosch; Carlson; Damschen; Delzer; Dockter; Hatlestad; Heinert; Holman; Johnson, C.; Johnson, D.; Kading; Karls; Kempenich; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Maragos; Marschall; Martinson; Meier; Monson; Nathe; Nelson, M.; Paur; Porter; Roers Jones; Rohr; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Toman; Vigesaa; Zubke

**ABSENT AND NOT VOTING:** Anderson, B.; Devlin; Louser

Engrossed SB 2282 failed.

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## SECOND READING OF SENATE BILL

**SB 2318:** A BILL for an Act to amend and reenact section 20.1-04-15 of the North Dakota Century Code, relating to the opening date of pheasant season.

## 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 81 YEAS, 10 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; 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; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Seibel; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Becker, Rick C.; Boe; Delzer; Johnson, M.; Johnston; Roers Jones; Ruby, M.; Schreiber-Beck; Simons; Skroch

**ABSENT AND NOT VOTING:** Anderson, B.; Devlin; Louser

SB 2318 passed.

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## MOTION

**REP. VIGESAA MOVED** that SB 2089 be moved to the bottom of the Fourteenth order, which motion prevailed on a voice vote.

## SECOND READING OF SENATE BILL

**SB 2312:** A BILL for an Act to amend and reenact subsection 5 of section 23-27-02 and section 23-27-04.4 of the North Dakota Century Code, relating to emergency medical services professionals.

## 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, 2 NAYS, 0 EXCUSED, 3 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; Dobervich; 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.; Kreidt; Laning; Lefor; Longmuir; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.;

Nelson, M.; O'Brien; Oliver; Olson; Owens; 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

**NAYS:** Johnson, M.; Paur

**ABSENT AND NOT VOTING:** Anderson, B.; Devlin; Louser

Engrossed SB 2312 passed.

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

**SB 2299:** A BILL for an Act to amend and reenact section 15-52-03 of the North Dakota Century Code, relating to the members of the university of North Dakota school of medicine and health sciences advisory council.

### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 74 YEAS, 17 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Dobervich; Dockter; 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.; Kreidt; Laning; Lefor; Longmuir; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Sukut; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Delzer; Ertelt; Johnston; Monson; Olson; Owens; Paur; Pollert; Porter; Schatz; Schmidt; Simons; Skroch; Streyle; Toman; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, B.; Devlin; Louser

SB 2299 passed.

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

**SB 2051:** A BILL for an Act to amend and reenact subsection 6 of section 53-06.2-11 of the North Dakota Century Code, relating to distributions from the breeders' fund.

### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 10 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Becker, Rick C.; Ertelt; Hogan; Johnston; Owens; Ruby, D.; Ruby, M.; Simons; Toman; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, B.; Devlin; Louser

SB 2051 passed.

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

**SB 2097:** A BILL for an Act to create and enact a new subsection to section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol to promote public trust; to amend and reenact section 39-03-05, subsection 3 of section 39-12-02, and subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to the contents of badges issued to patrolmen, interstate permits, and public security personnel possessing dangerous weapons; 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 PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Dobervich; 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.; Kreidt; Laning; Lefor; Longmuir; 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:** Anderson, B.; Devlin; Louser

Engrossed SB 2097 passed and the emergency clause was declared carried.

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

**SB 2102:** A BILL for an Act to amend and reenact sections 15-02-02, 15-02-05.1, and 54-01-05.5 of the North Dakota Century Code, relating to the commissioner of university and school lands.

### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 12 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dobervich; Dockter; 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.; Kreidt; Laning; Lefor; Longmuir; Magrum; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Becker, Rick C.; Brabandt; Ertelt; Johnston; Kading; McWilliams; Nelson, M.; Olson; Paur; Simons; Skroch; Toman

**ABSENT AND NOT VOTING:** Anderson, B.; Devlin; Louser

SB 2102 passed.

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**SECOND READING OF SENATE BILL**

**SB 2104:** A BILL for an Act to amend and reenact subsection 1 of section 54-59-39 of the North Dakota Century Code, relating to mandatory provisions of information and confidentiality.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; 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.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Magrum; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Trottier; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Becker, Rick C.; Johnston; McWilliams; Olson; Paur; Ruby, M.; Simons; Toman; Vetter

**ABSENT AND NOT VOTING:** Anderson, B.; Devlin; Louser

SB 2104 passed.

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**SECOND READING OF SENATE BILL**

**SB 2239:** A BILL 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.

**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, 2 NAYS, 0 EXCUSED, 3 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; Dobervich; 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.; Kreidt; Laning; Lefor; Longmuir; 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

**NAYS:** Johnston; Magrum

**ABSENT AND NOT VOTING:** Anderson, B.; Devlin; Louser

SB 2239, as amended, passed and the emergency clause was declared carried.

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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: HCR 3027, HCR 3031.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2049, SB 2093, SB 2106, SB 2120, SB 2185, SB 2324.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2096, SB 2284.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SCR 4012.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1208, HB 1220, HB 1348.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1026, HB 1027, HB 1059, HB 1160, HB 1191, HB 1207, HB 1240, HB 1245, HB 1342.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2030, SB 2091, SB 2112, SB 2114, SB 2129, SB 2160, SB 2222.

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

**MR. SPEAKER:** The President has signed: HB 1026, HB 1027, HB 1059, HB 1160, HB 1191, HB 1207, HB 1240, HB 1245, HB 1342.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2030, SB 2091, SB 2112, SB 2114, SB 2129, SB 2160, SB 2222.

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

**MR. SPEAKER:** The President has signed: SB 2030, SB 2091, SB 2112, SB 2114, SB 2129, SB 2160, SB 2222.

**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., Wednesday, March 8, 2017, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2115, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2115 was placed on the Sixth order on the calendar.

Page 2, line 3, after "advocate" insert "with autism spectrum disorder"

Renumber accordingly

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4012:** A concurrent resolution requesting the Legislative Management to consider studying the homestead tax credit thresholds for individuals who are permanently and totally disabled.

Was read the first time and referred to the **Finance and Taxation Committee**.

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

**Buell J. Reich, Chief Clerk**