

## JOURNAL OF THE HOUSE

## Sixty-fifth Legislative Assembly

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Bismarck, January 26, 2017

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

The prayer was offered by Chaplain Gary Heaton, Sanford Health, Bismarck.

The roll was called and all members were present except Representative Rohr.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Klemm, Chairman)** has carefully examined the Journal of the Tenth, Eleventh, and Twelfth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 185, line 7, delete "Mark"

Page 185, line 19, replace "2095" with "2059"

Page 195, lines 22 and 23, delete "Engrossed"

Page 207, line 7, replace "Larue" with "LaRue"

Page 209, between lines 19 and 20, insert:

## "SECOND READING OF HOUSE BILL

HB 1261: A BILL for an Act to create and enact a new section to chapter 65-06 of the North Dakota Century Code, relating to workers' compensation coverage of certain volunteers; to amend and reenact subsection 10 of section 65-01-02 and section 65-06-03 of the North Dakota Century Code, relating to workers' compensation coverage for mental injuries and of certain volunteers; and to provide for application."

**REP. KLEMM MOVED** that the report be adopted, which motion prevailed.

## SIXTH ORDER OF BUSINESS

**SPEAKER BELLEW DEEMED** approval of the amendments to HB 1399.

HB 1399, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTION

**REP. VIGESAA MOVED** that HB 1414 be returned to the House floor from the **Industry, Business and Labor Committee** for the purpose of withdrawal, which motion prevailed.

## REQUEST

**REP. BOSCHEE REQUESTED** the unanimous consent of the House to withdraw HB 1414. There being no objection, it was so ordered by the Speaker.

## MOTION

**REP. VIGESAA MOVED** that to suspend Joint Rule 206 through the 17th legislative day, which motion prevailed.

## SECOND READING OF HOUSE BILL

**HB 1205:** A BILL for an Act to amend and reenact subsection 7 of section 53-06.1-01 and section 53-06.1-03 of the North Dakota Century Code, relating to raffle permit requirements.

**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, 87 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Anderson, P.; Maragos; Nelson, J.; Porter; Streyle

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

**ABSENT AND NOT VOTING:** Rohr

HB 1205 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1110:** A BILL for an Act to create and enact section 24-02-49 of the North Dakota Century Code, relating to cooperative agreements with private entities for the construction of certain items on the state highway system.

**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 92 YEAS, 1 NAYS, 0 EXCUSED, 1 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; Delmore; Devlin; 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; 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; 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:** Delzer

**ABSENT AND NOT VOTING:** Rohr

HB 1110 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1284:** A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to the placement of rumble strips on public roads.

**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 33 YEAS, 60 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Boe; Boehning; Brabandt; Brandenburg; Carlson; Devlin; Ertelt; Headland; Holman; Johnson, C.; Johnston; Kasper; Koppelman, B.; Kreidt; Louser; Magrum; Marschall; McWilliams; Monson; Nelson, J.; Nelson, M.; Oliver; Olson; Paur; Pollert; Sanford; Schatz; Seibel; Skroch; Streyle; Trottier; Vigasaa

**NAYS:** Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Bosch; Boschee; Damschen; Delmore; Delzer; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Laning; Lefor; Longmuir; Maragos; Martinson; Meier; Mitskog; Mock; Nathe; O'Brien; Owens; Porter; Pyle; Roers Jones; Ruby, D.; Ruby, M.; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Steiner; Sukut; Toman; Vetter; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Rohr

HB 1284 failed.

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### SECOND READING OF HOUSE BILL

**HB 1145:** A BILL for an Act to amend and reenact section 5-01-11 and subsection 6 of section 5-01-21 of the North Dakota Century Code, relating to a financial interest between alcohol retailers and manufacturers.

### 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 33 YEAS, 60 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Becker, Rich S.; Becker, Rick C.; Boschee; Dobervich; Ertelt; Guggisberg; Holman; Johnson, C.; Johnston; Jones; Kading; Kempenich; Kiefert; Koppelman, B.; Laning; Louser; McWilliams; Meier; Nelson, J.; Nelson, M.; Oliver; Olson; Paur; Ruby, D.; Ruby, M.; Satrom; Seibel; Simons; Skroch; Toman; Trottier; Vetter

**NAYS:** Anderson, B.; Anderson, P.; Beadle; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Klemin; Koppelman, K.; Kreidt; Lefor; Longmuir; Magrum; Maragos; Marschall; Martinson; Mitskog; Mock; Monson; Nathe; O'Brien; Owens; Pollert; Porter; Pyle; Roers Jones; Sanford; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Streyle; Sukut; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Rohr

Engrossed HB 1145 failed.

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### MOTION

**REP. VIGESAA MOVED** that HB 1146 be moved to the top of the calendar, which motion prevailed.

### SECOND READING OF HOUSE BILL

**HB 1146:** A BILL for an Act to amend and reenact subsections 5 and 8 of section 5-01-01 and sections 5-01-16 and 5-02-01 of the North Dakota Century Code, relating to direct shipment of alcoholic beverages from out of state to a retail licensee; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Becker, Rick C.; Boschee; Ertelt; Headland; Johnson, C.; Johnston; Kading; Louser; McWilliams; Olson; Ruby, D.; Ruby, M.; Satrom; Simons; Vetter

**NAYS:** Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; 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.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Sanford; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellev

**ABSENT AND NOT VOTING:** Devlin; Rohr

Engrossed HB 1146 failed.

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### **POINT OF PERSONAL PRIVILEGE**

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

### **REMARKS OF REPRESENTATIVE BOSCHEE**

**MR. SPEAKER:** Mr. Speaker and members of the Assembly,

I stand today to bring awareness to the Assembly that tonight over 100 volunteers and homeless services staff from throughout the state will conduct the annual Point in Time count to identify the number of homeless men, women and children living in our communities.

The Point-in Time count is an annual count of sheltered and unsheltered homeless persons on a single night in January as required by the Department of Housing and Urban Development and is critical to how federal funding is determined for homeless services. The night of January 27 is the night chosen by the Continuum of Care for ND.

Staff and volunteers are conducting the count in each community/region across our state and as you can imagine, is a volunteer intensive effort. Our state's dedicated service provider staff could never carry out the count alone. In addition to counting homeless men, women and children, these volunteers and staff connect people to appropriate services.

The Point in Time count is a snapshot of a particular night, an often cold night in North Dakota, making it challenging to finding homeless individuals and likely, negatively impacting the information that can be collected within our state. Additionally, the state's recent economic growth has made it challenging to draw comparisons one would want to make between pit counts from year to year.

The 2016 Point in Time count identified 923 homeless persons in the state, but we know this is low for a couple reasons 1) it was particularly cold night and outreach was challenging to find the unsheltered and 2) it is estimated 900-1,000 homeless individuals are in the Fargo-Moorhead area on any given night.

Previous legislative assemblies have committed to address the growing needs of homeless men, women and children through the ND Homeless Grant which provides vital services to help everyday North Dakotans in housing crisis find safe emergency shelter and get on the path toward stable housing. The ND Homeless Grant helped weather the increase in homeless created by the oil boom, that we are still realizing in the state and has been part of encouraging collaboration between service providers and creating efficiencies in homeless services across the state.

Mr. Speaker and fellow members of the Assembly, I encourage you to reach out to the homeless service providers in your communities to thank them for their work and as we all prepare for bed tonight or when we wake up tomorrow morning, say a prayer for those without a home, those that are struggling with their current housing situation and those serving our state's homeless men, women and children.

Thank you Mr. Speaker.

**REQUEST**

**REP. MOCK REQUESTED** that the remarks of Rep. Boschee be printed in the Journal, which request was granted.

**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, January 27, 2017, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1061: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1061 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1062: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1062 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1063: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1063 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1064: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1064 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1065: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1065 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1066: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1066 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1067: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1067 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1068: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1068 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1069: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS,

2 ABSENT AND NOT VOTING). HB 1069 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1070: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1070 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1071: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1071 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1072: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1072 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1073: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1073 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1074: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1074 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1075: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1075 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1076: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1076 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1077: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1077 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1078: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1078 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1079: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT PASS and BE PLACED ON THE CONSENT CALENDAR (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1079 was placed on the Tenth order on the calendar.**

**REPORT OF STANDING COMMITTEE**

**HB 1080: Appropriations Committee (Rep. Delzer, Chairman) recommends DO NOT**

**PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1080 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1081: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1081 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1082: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1082 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1083: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1083 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1162: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1162 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 competition between government and private industry."

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - COMPETITION BETWEEN GOVERNMENT AND PRIVATE INDUSTRY.** During the 2017-18 interim, the legislative management shall consider studying competition between government and private industry. The study must include input from business owners in state trade associations and state and national experts on business and economics. The study must analyze areas in which government entities may have conflicts of interest with private industry and whether the government's role in providing specific services deters nonprofit organizations from performing the same service. The study also must determine the industries and regions in which government competition impacts businesses and industries and the fiscal loss to the state if a government entity performs a service also provided by a private industry. 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 1178: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1178 was placed on the Sixth order on the calendar.

Page 1, remove lines 5 through 24

Page 2, remove lines 1 through 31

Page 3, replace lines 1 through 5 with:

**"SECTION 1. AMENDMENT.** Section 57-40.6-02 of the North Dakota Century Code is amended and reenacted as follows:

**57-40.6-02. Authority of counties or cities to impose fee on assessed communications service - Procedure.**

The governing body of a county or city may impose a fee on all assessed communications services in accordance with the following requirements:

1. The governing body shall adopt a resolution that proposes the adoption of the fee permitted under this section. The resolution must specify an effective date for the fee which is no more than two years before the expected implementation date of the emergency services communication system to be funded by the fee. The resolution must include a provision for submitting the proposed fee to the electors of the county or city before the imposition of the fee is effective. The resolution must specify a fee that does not exceed one dollar and fifty cents per month per communication connection and must be applied equally upon all assessed communications services. Prepaid wireless service is not subject to the fee imposed under this section.
2. A political subdivision shall add a fee of fifty cents to the fee imposed on assessed communications services established under subsection 1. The additional fifty cents per communication connection must be dedicated to the political subdivision obligation to the statewide interoperability radio network and remitted to the governing joint powers entity established under chapter 54-40.3 for the purpose of implementing a statewide interoperability radio network. The funds collected under this subsection must be expended in a manner consistent with the recommendations of the statewide interoperability executive committee.
3. The question of the adoption of the fee must be submitted on a petition on which the petition title of the proposition includes the maximum monthly rate of the proposed fee authorized under subsection 1. The question of the adoption of the fee may be submitted to electors at a general, primary, or special election or at a school district election if the boundaries of the school district are coterminous with the boundaries of the governing body adopting the resolution proposing the adoption of the fee. The fee is not effective unless it is approved by a majority of the electors voting on the proposition. The ballot must be worded so that a "yes" vote authorizes imposition of the fee.
- ~~3-4.~~ Once established by this section, the maximum fee may be increased, decreased, or eliminated by a majority vote of the electors. The question may be placed on the ballot of any general, primary, or special election by a resolution of the governing body, or by a petition signed by ten percent or more of the total number of qualified electors of the political subdivision voting for governor at the most recent gubernatorial election and submitted to the governing body. By action of the governing body, the fee amount collected may be adjusted, subject to the maximum approved by the voters, to meet the costs allowed by this chapter.
- ~~4-5.~~ In any geographic area, only one political subdivision may impose the fee and imposition must be based on the subscriber service address.
- ~~5-6.~~ In the interest of public safety, where the subscriber's telephone exchange access service boundary and the boundary of the political subdivision imposing the fee do not coincide, and where all of the political subdivisions within the subscriber's telephone exchange access service boundary have not complied with subsection 1, and where a majority of the subscribers within the subscriber's telephone exchange access service boundary have voted for the fee, a telephone exchange access service subscriber whose subscriber service address is outside the political subdivision may receive 911 services by signing a contract agreement with the political subdivision providing the emergency services communication system. The telephone exchange access service provider may collect an additional fee, equal in amount to the basic fee on those subscribers within the exchange boundary. The



additional fee amounts collected must be remitted as provided in this chapter.

- ~~6-7.~~ A fee imposed under this section before August 1, 2007, on telephone exchange access service is extended to all assessed communications services and will remain in effect until changed pursuant to subsection ~~34.~~"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1214: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1214 was placed on the Sixth order on the calendar.

Page 1, line 17, after "Conservator" insert "or guardian"

Page 1, line 18, after "conservator" insert "or guardian"

Page 2, line 25, after "conservator" insert "or guardian"

Page 3, line 10, after "conservator" insert "or guardian"

Page 3, line 12, after "conservator" insert "or guardian"

Page 4, line 3, after "conservatorship" insert "or guardianship"

Page 9, line 18, after "**conservator**" insert "**or guardian**"

Page 9, line 20, after "conservator" insert "or guardian"

Page 9, line 22, after "conservator" insert "or guardian"

Page 9, line 25, after "conservator" insert "or guardian"

Page 9, line 27, after "conservator" insert "or guardian"

Page 10, line 5, after "conservator" insert "or guardian"

Page 10, line 9, after "conservator" insert "or guardian"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1223: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1223 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "or self-insurer"

Page 1, line 11, after the underscored semicolon insert "or"

Page 1, remove line 12

Page 1, line 13, replace "c." with "b."

Page 1, remove lines 22 and 23

Page 2, remove lines 16 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 6

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1235: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 3 ABSENT AND NOT VOTING). HB 1235 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections"

Page 1, line 1, after "4" insert "and 5"

Page 1, line 7, after "of" insert "state"

Page 1, line 7, after the underscored comma insert "but subject to any prohibitions in federal law."

Page 1, line 11, replace "Records" with "All records"

Page 1, line 20, after "records" insert "pursuant to a release signed by an individual"

Page 1, line 21, replace "an" with "the"

Page 2, line 3, replace "39-16-13" with "39-16-03"

Page 2, after line 18, insert:

**"SECTION 2.** Subsection 5 to section 51-61-02 of the North Dakota Century Code is created and enacted as follows:

5. If a government agency or private entity denies the commission access to records under subsection 4, the denial must include a statement of the legal authority for the denial.

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1283: 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 1283 was placed on the Sixth order on the calendar.

Page 1, line 12, overstrike "and" and insert immediately thereafter an underscored comma

Page 1, line 12, after "2.75" insert ", and maintains progress toward degree completion"

Page 1, line 18, overstrike "and" and insert immediately thereafter an underscored comma

Page 1, line 18, after "2.75" insert ", and maintains progress toward degree completion"

Page 2, overstrike line 18

Page 2, line 19, overstrike "and enrollment in at least fifteen credits during each"

Page 2, line 19, remove "subsequent"

Page 2, line 19, overstrike "semester"

Page 2, line 20, overstrike "thereafter"

Page 2, line 20, remove the underscored comma

Page 2, line 20, overstrike "or enrollment in"

Page 2, line 20, remove "at least fourteen credits during each subsequent"

Page 2, remove line 21

Page 2, line 22, remove "nursing, or enrollment in"

Page 2, line 22, overstrike "the equivalent number of credits, as determined by the"

Page 2, overstrike line 23

Page 2, line 24, overstrike "b. (1) If a student requires fewer than fifteen credits to graduate"

Page 2, line 24, remove ", or fewer than"

Page 2, line 25, remove "fourteen credits to graduate if enrolled in a nursing program"

Page 2, line 25, overstrike ", the student"

Page 2, line 26, overstrike "may retain scholarship eligibility by enrolling in fewer than fifteen"

Page 2, line 26, remove "credits, or"

Page 2, line 27, remove "fewer than fourteen credits if enrolled in a nursing program,"

Page 2, line 27, overstrike "but at least"

Page 2, overstrike lines 28 through 30

Page 3, overstrike lines 1 through 6

Page 3, line 7, overstrike "(3) The requirement that a student be enrolled in at least fifteen credits"

Page 3, line 7, remove ", or at"

Page 3, line 8, remove "least fourteen credits if enrolled in a nursing program"

Page 3, line 8, overstrike ", as set forth in"

Page 3, overstrike lines 9 through 15

Page 3, line 16, overstrike "in which the student is enrolled, total at least twelve" and insert immediately thereafter "has the same meaning as the term is defined by the institution the student is attending"

Page 3, after line 16, insert:

"b. For the purpose of North Dakota scholarship eligibility under this section, "progress toward degree completion" means earning the following minimum number of credits after each semester or quarter term disbursement to qualify for the subsequent disbursement:

- (1) Twelve credits after disbursement one;
- (2) Twenty-four credits after disbursement two;
- (3) Thirty-nine credits after disbursement three;

- (4) Fifty-four credits after disbursement four;
- (5) Sixty-nine credits after disbursement five;
- (6) Eighty-four credits after disbursement six; and
- (7) Ninety-nine credits after disbursement seven."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1285: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1285 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1305: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1305 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1335: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1335 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1353: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1353 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 study of the creation of a college tuition waiver or reimbursement program.

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

**SECTION 1. STATE BOARD OF HIGHER EDUCATION STUDY - SENIOR TUITION WAIVER OR REIMBURSEMENT PROGRAM.** During the 2017-18 interim, the state board of higher education shall study the feasibility and desirability of the development of a state tuition waiver or reimbursement program for college seniors at institutions of higher education under the control of the board. The study must consider designing a program to waive or reimburse tuition expenses at these institutions for students who are North Dakota residents who graduated from a high school in this state or completed a program of home education supervised in accordance with chapter 15.1-23. The study may include the objectives of a senior tuition waiver or reimbursement program, the definition of residency for purposes of the program, the duration of a tuition waiver once a student is designated a senior by the institution, the necessary funding mechanisms for the program, the maximum total waiver or reimbursement amounts available to individual students, grade point average requirements, post-graduation requirements, merit-based requirements, and the effectiveness of tuition waivers versus post-graduation reimbursement. The state board of higher education 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 1355: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1355 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1394: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends

**DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1394 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "**Exception**" with "**Exceptions**"

Page 1, after line 15, insert:

"3. A manufacturer, insurer, or seller of autonomous vehicles or autonomous vehicular technology may share, release, or distribute identifying or personalized information or data collected and stored by the autonomous vehicle, with the consent of the owner of the autonomous vehicle or by order of a court."

Renumber accordingly

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

**HB 1406: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1406 was rereferred to the **Appropriations Committee**.

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

**HB 1420: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1420 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 study of the curriculum requirements of history majors at public institutions of higher education in the state.

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

**SECTION 1. STATE BOARD OF HIGHER EDUCATION STUDY - UNITED STATES HISTORY COURSES.** During the 2017-18 interim, the state board of higher education shall study the curriculum requirements of history majors at the eleven North Dakota colleges and universities under the control of the state board of higher education and the feasibility and desirability of mandatory inclusion of United States history courses in that curriculum. The North Dakota university system shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Reps. Keiser, Porter and Sens. Cook, Sorvaag, Wardner introduced:

**HCR 3014:** A concurrent resolution requesting the Legislative Management to consider studying the various legal notice requirements of all state agencies, the related costs required in state budgets, and potential notification alternatives.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Kempenich, Brandenburg, Devlin introduced:

**HCR 3015:** A concurrent resolution declaring July 27, 2017, as "Day of the American Cowboy".

Was read the first time and referred to the **Agriculture Committee**.

Rep. Headland introduced:

**HCR 3016:** A concurrent resolution requesting the Legislative Management to consider studying the desirability of moving city elections from the primary election in June in even-numbered years to the general election in November in even-numbered years.

Was read the first time and referred to the **Political Subdivisions Committee**.

Reps. Kempenich, Steiner introduced:

**HCR 3017:** A concurrent resolution urging Congress to modify the Indian reservation system by vesting the states with the ability to engage in relations with Native American

tribes and with the responsibility of developing plans to improve the failed Indian reservation system, advance and elevate the quality of life on Indian reservations, promote and increase literacy on Indian reservations, and help Indian reservations to achieve economic stability and independence.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Laning introduced:

**HCR 3018:** A concurrent resolution requesting the Legislative Management to consider studying the issue of pesticide drift, the procedures and protocols in place to address pesticide drift, and the potential endangerment pesticide drift may cause to humans.

Was read the first time and referred to the **Agriculture Committee**.

Reps. Jones, Brandenburg, Kasper, Maragos, Monson, Steiner, Zubke and Sens. Bowman, Kannianen, Rust introduced:

**HCR 3019:** A concurrent resolution directing the United States Department of the Interior to exercise nondiscrimination in public land management and return the land no longer required for the Pick-Sloan Missouri Basin Project dam at Lake Sakakawea to the citizens of the United States.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Reps. Delzer, Kempenich, Nathe, Pollert, Porter introduced:

**HCR 3020:** A concurrent resolution urging Congress and the President of the United States to allow the continuation of the Garrison Diversion project canal system to aid in the delivery of water to the Red River Valley.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Rep. D. Johnson and Sen. Kreun introduced:

**HCR 3021:** A concurrent resolution urging Congress and the President of the United States to fulfill the federal government's promises to North Dakota, allow the utilization of the Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water supply for eastern and central North Dakota, irrigation, and for all other authorized project purposes, and not deauthorize or repurpose any part of the Garrison Diversion Unit.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Rep. Mock introduced:

**HCR 3022:** A concurrent resolution urging the State Board of Higher Education to develop a policy and procedures for providing specific, tailored financial aid counseling to recipients of education benefits under the Servicemen's Readjustment Act of 1944, as amended, and to include in the counseling comparisons of those education benefits to other aid packages and financing options available to the recipients.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

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

**Buell J. Reich, Chief Clerk**