

JOURNAL OF THE HOUSE

Sixty-sixth Legislative Assembly

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Bismarck, March 4, 2019

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

The prayer was offered by Sister Ivo Schoch, Corpus Christi Church, Bismarck.

The roll was called and all members were present except Representatives Kasper, M. Nelson, O'Brien, Owens, and Pyle.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. MITSKOG rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE MITSKOG

MR. SPEAKER: I stand for a point of personal privilege. This past weekend was an exciting one for girls basketball in North Dakota. The Kindred Vikings and Rugby Panthers rose from being the only unseeded teams in the Class B State Tournament to battle it out for the championship, held at the Betty Engelstad Sioux Center in Grand Forks. Despite trailing early, the Kindred Vikings came back and took the lead when Freshman Kristina Freier sunk a three pointer with only 15 seconds left in the game. The Vikings, a young team with only one senior, held on to their lead to become the 2019 state champions. Led by Head Coach Sam Brandt and Assistant Coaches Ashley Fahnhorst and Brook Rheault, the team also claimed the title in 2017. Congratulations are also due to 9th grader Abby Duchscherer, who was named the tournaments most valuable player. Mr Speaker, members of the assembly, on behalf of the North Dakota House of Representatives I'd like to congratulate the Kindred Vikings and all of the other teams who took part in the tournament, and to recognize the young athletes for their dedication, hard work, and sportsmanship.

MOTION

REP. HANSON MOVED that the remarks of Rep. Mitskog be printed in the Journal, which motion prevailed on a voice vote.

MOTION

REP. LOUSER MOVED that HCR 3053 be returned to the House floor from the **Judiciary Committee** for the purpose of withdrawal, which motion prevailed on a voice vote.

REQUEST

REP. BECKER REQUESTED the unanimous consent of the House to withdraw HCR 3053. There being no objection, it was so ordered by the Speaker.

MOTION

REP. LOUSER MOVED that SB 2064, which is on the Fourteenth order, be laid over one legislative day, and that SB 2244, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed on a voice vote.

SIXTH ORDER OF BUSINESS

SPEAKER KLEMIN DEEMED approval of the amendments to Engrossed HCR 3037, HCR 3049, HCR 3052, SB 2033, SB 2078, Engrossed SB 2100, SB 2120, and SB 2241.

Engrossed HCR 3037, HCR 3049, and HCR 3052, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SB 2033, SB 2078, Engrossed SB 2100, SB 2120, and SB 2241, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3006: A concurrent resolution to amend and reenact section 7 of article IV of the

Constitution of North Dakota, relating to reconvening of the legislative assembly to consider a veto.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 79 YEAS, 10 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Ertelt; Hoverson; Johnston; Louser; Magrum; Ruby, M.; Simons; Toman; Trottier

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

Engrossed HCR 3006 was declared adopted on a recorded roll call vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3047: A concurrent resolution directing the Legislative Management to consider studying state and federal veterans' programs, the programs' eligibility requirements, and the efficiency of public or private entities responsible for the administration of state and federal veterans' programs to ensure all current and future North Dakota veterans receive the care, assistance, and benefits to which the veterans are entitled.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 85 YEAS, 3 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Hoverson; Johnson, C.; Paur

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle; Vigasaa

HCR 3047 was declared adopted on a recorded roll call vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3045: A concurrent resolution requesting the Legislative Management to consider studying the feasibility and desirability, potential benefits and efficiencies, and potential implementation processes for unifying the responsibilities and resources of the Game and Fish Department and the Parks and Recreation Department under a

single game, fish, parks, and recreation department; and for unifying the law enforcement responsibilities and resources of the Game and Fish Department and the Parks and Recreation Department with and under the Highway Patrol.

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 46 YEAS, 43 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Beadle; Becker; Bellew; Boe; Boschee; Devlin; Dobervich; Ertelt; Grueneich; Guggisberg; Headland; Hoverson; Howe; Johnson, C.; Johnson, M.; Johnston; Jones; Kading; Kiefert; Koppelman, B.; Koppelman, K.; Lefor; Louser; Magrum; Marschall; McWilliams; Meier; Paulson; Paur; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schmidt; Simons; Skroch; Strinden; Toman; Trottier; Vetter; Vigesaa; Weisz; Zubke

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Blum; Bosch; Brandenburg; Buffalo; Damschen; Delzer; Dockter; Eidson; Fegley; Fisher; Hager; Hanson; Hatlestad; Heinert; Holman; Johnson, D.; Karls; Keiser; Kempenich; Kreidt; Laning; Longmuir; Martinson; Mitskog; Mock; Monson; Nathe; Nelson, J.; Pollert; Richter; Sanford; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Tveit; Westlind; Speaker Klemin

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

HCR 3045 was declared adopted on a recorded roll call vote.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Rep. Kylie Oversen

SECOND READING OF SENATE BILL

SB 2040: A BILL for an Act to amend and reenact section 40-22-18 of the North Dakota Century Code, relating to treatment of property owned by a political subdivision when calculating protests against the formation of a special improvement district.

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 87 YEAS, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Guggisberg; Ruby, D.

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

Engrossed SB 2040, as amended, passed.

SECOND READING OF SENATE BILL

SB 2089: A BILL for an Act to create and enact a new subsection to section 57-39.4-35 of

the North Dakota Century Code, relating to certified automated system software requirements; to amend and reenact sections 57-05-08, 57-06-05, 57-06-06, 57-06-09, 57-06-12, and 57-33.2-07, subdivision d of subsection 26 of section 57-39.2-04, subsection 1 of section 57-39.2-12, section 57-39.4-04, subsections 6 and 7 of section 57-39.4-06, section 57-39.4-19, subsection 1 of section 57-39.4-23, subsection 3 of section 57-39.4-28, subdivision d of subsection 12 of section 57-40.2-04, and subsection 7 of section 57-40.2-07 of the North Dakota Century Code, relating to reports from centrally assessed property companies, tentative assessments of centrally assessed property, the annual meeting of the state board of equalization, the definition of supplies used for bladder dysfunction, the filing of sales tax returns, seller registration, the database of local taxing jurisdictions, uniform tax returns, notices of temporary exemption periods, the library of definitions to be used in the tax administration practices of the sales and use tax agreement, and the filing of use tax returns; and to provide an effective date.

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 84 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemm

NAYS: Becker; Bellew; Delzer; Ruby, D.; Simons

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

Engrossed SB 2089, as amended, passed.

SECOND READING OF SENATE BILL

SB 2119: A BILL for an Act to amend and reenact subsection 4 of section 39-01-15 of the North Dakota Century Code, relating to parking privileges for mobility-impaired individuals.

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: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemm

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

SB 2119 passed.

SECOND READING OF SENATE BILL

SB 2130: A BILL for an Act to provide for a legislative management study relating to state agency fees.

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 84 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemm

NAYS: Beadle; Bellew; Delzer; Mitskog; Schobinger

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

Engrossed SB 2130 passed.

SECOND READING OF SENATE BILL

SB 2097: A BILL for an Act to amend and reenact sections 37-01-43 and 37-03-02, subsection 8 of section 37-26-01, subsection 6 of section 37-28-02, and section 37-28-03 of the North Dakota Century Code, relating to the operation of the North Dakota national guard.

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: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemm

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

Engrossed SB 2097 passed.

SECOND READING OF SENATE BILL

SB 2049: A BILL for an Act to amend and reenact subsection 2 of section 39-03.1-11 and subsection 2 of section 54-52-17 of the North Dakota Century Code, relating to the computation of final average salary for employees who terminate employment after December 31, 2019.

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: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

Engrossed SB 2049 passed.

SECOND READING OF SENATE BILL

SB 2045: A BILL for an Act to create and enact a new section to chapter 54-52.2 of the North Dakota Century Code, relating to contributions to the deferred compensation plan; and to amend and reenact subsection 7 of section 39-03.1-08.2 and sections 54-52.1-03.3 and 54-52.1-04.2 of the North Dakota Century Code, relating to the highway patrolmen's retirement system, the retiree health credit, and prescription coverage under a self-insured plan.

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: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

Engrossed SB 2045 passed.

SECOND READING OF SENATE BILL

SB 2190: A BILL for an Act to repeal section 11-14-11 of the North Dakota Century Code, relating to reports to township clerks.

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 88 YEAS, 1 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich;

Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Delzer

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

SB 2190 passed.

SECOND READING OF SENATE BILL

SB 2189: A BILL for an Act to amend and reenact sections 57-02-51, 57-09-01, and 57-11-01 of the North Dakota Century Code, relating to the meeting of the board of equalization of a township and a city.

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: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

Engrossed SB 2189 passed.

SECOND READING OF SENATE BILL

SB 2188: A BILL for an Act to amend and reenact section 48-09-01 of the North Dakota Century Code, relating to bid requirements for park districts.

CONFLICT OF INTEREST

REP. BOSCH STATED that he had a conflict of interest on SB 2188.

MOTION

REP. LOUSER MOVED that Rep. Bosch be allowed to vote on SB 2188, which motion prevailed on a voice vote.

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, 10 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad;

Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Ertelt; Kiefert; McWilliams; Paur; Ruby, D.; Schatz; Schauer; Skroch; Steiner

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

SB 2188 passed.

SECOND READING OF SENATE BILL

SB 2152: A BILL for an Act to amend and reenact sections 4.1-37-02, 4.1-37-03, and 4.1-37-04 of the North Dakota Century Code, relating to the licensing of anhydrous ammonia storage tanks and mobile storage containers.

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 84 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Boe; Ertelt; Holman; Ruby, D.; Simons

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

SB 2152 passed.

SECOND READING OF SENATE BILL

SB 2079: A BILL for an Act to amend and reenact subsection 19 of section 4.1-25-01 and sections 4.1-25-31, 4.1-25-32, and 4.1-25-33 of the North Dakota Century Code, relating to the definition of pasteurized milk ordinance and to the pasteurized milk ordinance revision.

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: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Richter; Roers Jones; Rohr; Ruby, D.;

Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Kasper; Nelson, M.; O'Brien; Owens; Pyle

SB 2079 passed.

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 3048.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2038, SB 2080, SB 2091, SB 2092, SB 2123, SB 2167, SB 2177.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2056.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1026, HB 1059, HB 1103, HB 1146, HB 1166, HB 1201, HB 1276, HB 1312, HCR 3026, HCR 3030, HCR 3032.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1149, HB 1360.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1095, HB 1098.

SENATE AMENDMENTS TO HOUSE BILL NO. 1095

Page 1, line 1, after "37-29-01" insert "and subsection 3 of section 37-29-03"

Page 1, line 2, after "of" insert "discrimination against"

Page 1, after line 9, insert:

"SECTION 2. AMENDMENT. Subsection 3 of section 37-29-03 of the North Dakota Century Code is amended and reenacted as follows:

3. Except for an involuntarily activated ~~North Dakota~~ national guard member, subsection 1 does not apply if due to serving as a volunteer emergency responder, the employee is absent or tardy from the employee's place of employment for a period that exceeds twenty regular working days in a calendar year."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1098

Page 1, line 2, after "licenses" insert "; and to amend and reenact subdivision b of subsection 6 of section 39-06.2-07 of the North Dakota Century Code, relating to commercial learner's permits"

Page 1, after line 9, insert:

"SECTION 2. AMENDMENT. Subdivision b of subsection 6 of section 39-06.2-07 of the North Dakota Century Code is amended and reenacted as follows:

- b. The commercial learner's permit may not be issued for a period to exceed one hundred eighty days. ~~The commercial learner's permit~~

may be renewed for an additional one hundred eighty days without requiring the individual to retake the knowledge test year. After this initial period, the director may issue a letter of authority that authorizes the applicant to drive to a driver's license office, complete the road test, and return home, or the individual may retake the knowledge test and be issued another commercial learner's permit valid for one hundred eighty days year. The holder of a permit, unless otherwise disqualified, may drive a commercial motor vehicle only when accompanied by the holder of a commercial driver's license valid for the type of vehicle driven who occupies a seat beside the individual for the purpose of giving instruction in driving the commercial motor vehicle. A holder of a permit is not eligible for a license until that individual has had the permit issued for at least fourteen days."

Renumber accordingly

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1113.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1113

Page 1, line 17, replace "section 4.1-18-01" with "title 4.1"

Page 7, line 23, replace "by section 4.1-18-01" with "in title 4.1"

Renumber accordingly

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1100, HB 1109, HB 1110, HB 1112, HB 1116, HB 1118, HB 1183, HB 1204, HB 1214, HB 1244, HB 1344.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2083, SB 2145.

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

MR. SPEAKER: The President has signed: HB 1076, HB 1100, HB 1109, HB 1110, HB 1112, HB 1116, HB 1118, HB 1183, HB 1204, HB 1214, HB 1244, HB 1344.

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

MR. PRESIDENT: The Speaker has signed: HB 1028, HB 1039, HB 1041, HB 1068, HB 1069, HB 1070, HB 1072, HB 1075, HB 1080, HB 1081, HB 1083, HB 1084, HB 1085, HB 1087, HB 1091, HB 1093, HB 1094.

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

MR. PRESIDENT: The Speaker has signed: SB 2083, SB 2145.

REPORT OF STANDING COMMITTEE

HCR 3016: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HCR 3016 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3046: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3046 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3051: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (10 YEAS, 1 NAYS, 3 ABSENT AND NOT VOTING). HCR 3051 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2035: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends

AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2035 was placed on the Sixth order on the calendar.

Page 1, line 4, after the second comma insert "and"

Page 1, line 4, remove "and section 11-11-11 of"

Page 3, remove lines 28 through 31

Page 4, remove lines 1 through 9

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2060: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2060 was placed on the Sixth order on the calendar.

Page 2, line 10, after "a" insert:

"1."

Page 2, line 13, after the period insert:

"2."

Page 2, line 13, overstrike "to" and insert immediately thereafter ":

"a. To"

Page 2, line 14, overstrike "to drivers" and insert immediately thereafter:

"b. To a driver"

Page 2, line 15, overstrike "to operators" and insert immediately thereafter:

"c. To an operator"

Page 2, line 15, overstrike "to" and insert immediately thereafter:

"d. To"

Page 2, line 16, overstrike "to" and insert immediately thereafter:

"e. To"

Page 2, line 19, overstrike "or when" and insert immediately thereafter:

"f. When"

Page 2, line 20, after "occupants" insert: "; or

g. To an operator or a passenger of a motor vehicle that stops frequently to allow the driver or passenger to leave the vehicle temporarily or to deliver property from the vehicle. This exception applies only when the vehicle is traveling at a speed not exceeding thirty miles [48.28 kilometers] per hour between stops"

Page 2, after line 20, after the period insert:

"3."

Page 2, after line 22, after the period insert:

"4."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2066: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2066 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2075: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2075 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2093: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2093 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2191: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2191 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2283, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2283 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2321, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2321 was placed on the Sixth order on the calendar.

Page 1, line 5, after the semicolon insert "to provide a statement of legislative intent;"

Page 2, after line 27, insert:

"SECTION 3. LEGISLATIVE INTENT - VEHICLE REGISTRATION FEE INCREASE. It is the intent of the sixty-sixth legislative assembly that the department of transportation add an explanation on the vehicle registration renewal form regarding the two dollar per vehicle increase to the vehicle registration fee."

Renumber accordingly

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

Buell J. Reich, Chief Clerk