

JOURNAL OF THE HOUSE

Sixty-sixth Legislative Assembly

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Bismarck, April 4, 2019

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

The prayer was offered by Pastor Randy Upgren, Inspire Family Fellowship, Bismarck.

The roll was called and all members were present except Representatives O'Brien, Owens, and Tveit.

A quorum was declared by the Speaker.

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. LOUSER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1074 as printed on HJ page 1044, in the Senate amendments to Engrossed HB 1517 as printed on HJ page 1377, and in the Senate amendments to Engrossed HB 1541 as printed on HJ page 1377 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed HB 1074: Reps. McWilliams, Buffalo, Magrum.

Engrossed HB 1517: Reps. D. Anderson, Tveit, Schneider.

Engrossed HB 1541: Reps. Paulson, Karls, Vetter.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. LOUSER MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2102, Engrossed SB 2258, Engrossed SB 2306, and Engrossed SB 2344, which motion prevailed on a voice vote.

THE SPEAKER APPOINTED as a Conference Committee on:

SB 2102: Reps. Kasper, Louser, P. Anderson

Engrossed SB 2258: Reps. Headland, Grueneich, Mitskog

Engrossed SB 2306: Reps. Laning, Richter, Adams

Engrossed SB 2344: Reps. Keiser, Roers Jones, Mitskog

SIXTH ORDER OF BUSINESS

SPEAKER KLEMIN DEEMED approval of the amendments to Engrossed SB 2004, Engrossed SB 2011, SB 2058, Engrossed SB 2094, Engrossed SB 2214, and Engrossed SB 2321.

Engrossed SB 2004, Engrossed SB 2011, SB 2058, Engrossed SB 2094, Engrossed SB 2214, and Engrossed SB 2321, as amended, were placed on the Fourteenth order of business on the calendar.

SIXTH ORDER OF BUSINESS

SB 2048, as engrossed: REP. DELZER (Appropriations Committee) MOVED that the amendments on HJ page 1465 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

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

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed SB 2048, the roll was called and there were 69 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Holman; Hoverson; Johnson, C.; Johnson, M.; Johnston; McWilliams; Mitskog; Mock; Nelson, M.; Richter; Schneider; Trottier; Vetter

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

The proposed amendments to Engrossed SB 2048 were adopted on a recorded roll call vote.

MOTION

REP. LOUSER MOVED that SB 2048 be moved to the top of the Fourteenth order, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2048: A BILL for an Act to provide for a legislative management study regarding state employee retirement plans.

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 76 YEAS, 15 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Brandenburg; Damschen; Delzer; Devlin; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Hager; Hatlestad; Headland; Heinert; Howe; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; 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; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Adams; Anderson, P.; Bellew; Buffalo; Dobervich; Guggisberg; Hanson; Holman; Hoverson; Johnson, C.; Johnson, M.; Nelson, M.; Paur; Schneider; Trottier

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

Engrossed SB 2048, as amended, passed.

SECOND READING OF SENATE BILL

SB 2278: A BILL for an Act to amend and reenact paragraph 4 of subdivision b of subsection 15 of section 57-02-08 and subdivision f of subsection 1 of section 57-02-08.1 of the North Dakota Century Code, relating to the farm home residence property tax exemption and the homestead credit to provide for the confidentiality of documents evidencing eligibility for the exemption and credit; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 8 NAYS, 0 EXCUSED, 3 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.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Vetter; Vigasaa; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Bellew; Delzer; Johnston; Kading; Magrum; Simons; Weisz

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

Reengrossed SB 2278 passed.

MOTION

REP. LOUSER MOVED that SB 2004 and SB 2011 be moved to the top of the Fourteenth order, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2011: A BILL for an Act to provide an appropriation for defraying the expenses of the securities department; and to amend and reenact subsection 5 of section 10-04-03 of the North Dakota Century Code, relating to collection of fees, civil penalties, and other moneys collected under the Securities Act.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; 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; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Bellew; Ertelt; Hoverson; Johnston; Magrum; Simons; Toman

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

Engrossed SB 2011, as amended, passed.

SECOND READING OF SENATE BILL

SB 2004: A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor; to amend and reenact sections 54-10-01 and 54-10-10 of the North Dakota Century Code, relating to the powers and duties of the state auditor and the salary of the state auditor; to provide for a report; 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 90 YEAS, 1 NAYS, 0 EXCUSED, 3 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; Kasper; 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; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Nelson, M.

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

Engrossed SB 2004, as amended, passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2047: A BILL for an Act to amend and reenact subdivision a of subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to the computation of retirement benefits.

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 71 YEAS, 20 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; McWilliams; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Paulson; Paur; Pollert; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Adams; Bellew; Boschee; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Johnson, C.; Karls; Magrum; Martinson; Mitskog; Mock; Porter; Schneider; Toman; Trottier; Vetter

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

SB 2047 passed.

SECOND READING OF SENATE BILL

SB 2046: A BILL for an Act to amend and reenact sections 54-52-02.9, 54-52-06, and 54-52.1-03.2, subsection 1 of section 54-52.1-03.3, and section 54-52.6-09 of the North Dakota Century Code, relating to employer contributions to the public employees defined benefit plan, defined contribution plan, and retiree health plan and participation in the retiree health 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 64 YEAS, 27 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Brandenburg; Damschen; Devlin; Dockter; Fegley; Grueneich; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; McWilliams; Monson; Nathe; Nelson, J.;

Paulson; Paur; Pollert; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Steiner; Strinden; Trottier; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Adams; Bellew; Boschee; Buffalo; Delzer; Dobervich; Eidson; Ertelt; Fisher; Guggisberg; Hager; Hanson; Holman; Karls; Keiser; Magrum; Martinson; Meier; Mitskog; Mock; Nelson, M.; Porter; Schneider; Simons; Skroch; Toman; Vetter

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

SB 2046 passed.

SECOND READING OF SENATE BILL

SB 2185: A BILL for an Act to amend and reenact subsection 1 of section 27-20-44 of the North Dakota Century Code, relating to termination of parental rights.

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: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; 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; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Ertelt; Magrum

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

SB 2185 passed.

SECOND READING OF SENATE BILL

SB 2039: A BILL for an Act to create and enact two new sections to chapter 6-09 of the North Dakota Century Code, relating to the development and implementation of a skilled workforce student loan repayment program; to provide a continuing appropriation; to provide for a transfer; to provide an expiration date; 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 NOT PASS, the roll was called and there were 19 YEAS, 72 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Bellew; Boschee; Buffalo; Dobervich; Eidson; Hager; Hanson; Hatlestad; Holman; Lefor; Longmuir; Meier; Mock; Nelson, M.; Schneider; Steiner; Trottier

NAYS: Anderson, B.; Anderson, D.; Beadle; Becker; Blum; Boe; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Louser; Magrum; Marschall; Martinson; McWilliams; Mitskog; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Pyle; Richter;

Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Strinden; Toman; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemm

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

Engrossed SB 2039, as amended, failed.

SECOND READING OF SENATE BILL

SB 2214: A BILL for an Act to provide for a transfer from the foundation aid stabilization fund to the school construction assistance revolving loan fund; and to provide a statement of legislative intent.

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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemm

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

Engrossed SB 2214, as amended, passed.

SECOND READING OF SENATE BILL

SB 2094: A BILL for an Act to create and enact sections 43-17-44, 43-17-45, and 43-62-14.1 of the North Dakota Century Code, relating to the practice of telemedicine and the regulation of fluoroscopy technologists; to amend and reenact sections 43-17-01, 43-17-02, and 43-17-02.3, subsection 1 of section 43-17.1-02, and sections 43-17.1-05, 43-17.1-05.1, 43-17.1-06, and 43-62-01 of the North Dakota Century Code, relating to the definitions of the practice of medicine and telemedicine, the practice of medicine, and the regulation of fluoroscopy technologists; to provide a penalty; and to provide for application.

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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemm

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

Engrossed SB 2094, as amended, passed.

SECOND READING OF SENATE BILL

SB 2058: A BILL for an Act to amend and reenact subsection 6 of section 54-17.8-06 of the North Dakota Century Code, relating to the North Dakota outdoor heritage advisory board.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 6 NAYS, 0 EXCUSED, 3 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; Hoverson; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Howe; Magrum; Nelson, M.; Ruby, M.; Schatz; Simons

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

SB 2058, as amended, passed.

SECOND READING OF SENATE BILL

SB 2321: A BILL for an Act to amend and reenact section 39-04-10.16 of the North Dakota Century Code, relating to special vehicle license plates for volunteer emergency responders and firefighters; 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 72 YEAS, 19 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Bellew; Blum; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Trottier; Vigasaa; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Boe; Ertelt; Hoverson; Johnson, C.; Johnston; Kading; Kiefert; Laning; McWilliams; Nelson, J.; Nelson, M.; Paulson; Paur; Simons; Skroch; Toman; Vetter; Weisz

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

Engrossed SB 2321, as amended, passed and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. K. KOPPELMAN MOVED that the House do concur in the Senate amendments to HB 1394 as printed on HJ page 1419, which motion prevailed on a voice vote.

HB 1394, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1394: A BILL for an Act to amend and reenact subsection 5 of section 53-06.1-11 of the North Dakota Century Code, relating to rent limits for electronic pull tab devices.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 76 YEAS, 15 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Bosch; Damschen; Delzer; Devlin; Guggisberg; Holman; Hoverson; Meier; Paulson; Rohr; Ruby, D.; Schatz; Vigesaa; Westlind

ABSENT AND NOT VOTING: O'Brien; Owens; Tveit

Engrossed HB 1394 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. K. KOPPELMAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1082 as printed on HJ page 1044, which motion prevailed on a voice vote.

Engrossed HB 1082, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1082: A BILL for an Act to create and enact two new sections to chapter 15.1-19 of the North Dakota Century Code, relating to the prohibition on aiding and abetting sexual abuse; and to provide for a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 59 YEAS, 31 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Dobervich; Eidson; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, D.; Jones; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Longmuir; Magrum; Marschall; Martinson; Mitskog; Mock; Nathe; Nelson, J.; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Skroch; Strinden; Toman; Vigesaa; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Bellew; Blum; Delzer; Devlin; Dockter; Ertelt; Fegley; Hoverson; Johnson, C.; Johnson, M.; Johnston; Kading; Keiser; Laning; Lefor; Louser; McWilliams; Meier; Monson; Nelson, M.; Richter; Rohr; Ruby, D.; Ruby, M.; Schatz;

Schmidt; Simons; Trotter; Vetter; Weisz

ABSENT AND NOT VOTING: O'Brien; Owens; Steiner; Tveit

Reengrossed HB 1082 passed.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2046, SB 2047, SB 2185, SB 2278.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2011, SB 2048, SB 2058, SB 2094, SB 2214.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2004, SB 2321.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2039.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1050, HB 1157.

SENATE AMENDMENTS TO HOUSE BILL NO. 1050

In lieu of the amendments adopted by the Senate as printed on pages 1236-1238 of the Senate Journal, House Bill No. 1050 is amended as follows:

Page 1, line 1, after "section" insert "19-03.1-22.3, subdivision d of subsection 8 of section 19-03.1-23, section"

Page 1, line 1, after "19-03.4-03" insert ", and subdivision i of subsection 5 of section 39-08-01"

Page 1, line 2, after "to" insert "the possession of marijuana and marijuana paraphernalia, the ingestion of marijuana, and"

Page 1, line 3, after the semicolon insert "to provide for a legislative management study;"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 19-03.1-22.3 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-22.3. Ingesting a controlled substance - Venue for violation - Penalty.

A person who intentionally ingests, inhales, injects, or otherwise takes into the body a controlled substance, unless the substance was obtained directly from a practitioner or pursuant to a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, is guilty of a ~~class B misdemeanor~~ noncriminal offense punishable by a fee of two hundred fifty dollars if the controlled substance is marijuana. Otherwise, the offense is a class A misdemeanor. The venue for a violation of this section exists in either the jurisdiction in which the controlled substance was ingested, inhaled, injected, or otherwise taken into the body or the jurisdiction in which the controlled substance was detected in the body of the accused.

SECTION 2. AMENDMENT. Subdivision d of subsection 8 of section 19-03.1-23 of the North Dakota Century Code is amended and reenacted as follows:

- d. A person who violates this subsection ~~regarding possession by~~
possessing:
- (1) Marijuana in an amount of less than one-half ounce [14.175 grams] is guilty of a noncriminal offense punishable by a fee of two hundred fifty dollars.
 - (2) One-half ounce [14.175 grams] or more of marijuana is guilty of a class B misdemeanor."

Page 2, line 6, overstrike "a class B misdemeanor" and insert immediately thereafter "a noncriminal offense punishable by a fee of one hundred dollars"

Page 2, line 12, replace "~~shall~~" with "may"

Page 2, after line 18, insert:

"SECTION 4. AMENDMENT. Subdivision i of subsection 5 of section 39-08-01 of the North Dakota Century Code is amended and reenacted as follows:

- i. If the court sentences an individual to the legal and physical custody of the department of corrections and rehabilitation, the department may place the individual in an alcohol treatment program designated by the department. Upon the individual's successful completion of the alcohol treatment program, the department shall release the individual from imprisonment to begin the court-ordered period of probation. If there is not any court-ordered period of probation, the court ~~shall~~may order the individual to serve the remainder of the sentence of imprisonment on supervised probation and the terms and conditions must include participation in the twenty-four seven sobriety program and any terms and conditions of probation previously imposed by the court. Probation under this subsection may include placement in another facility or treatment program. If an individual is placed in another facility or treatment program after release from imprisonment, the remainder of the individual's sentence of imprisonment must be considered time spent in custody. Individuals incarcerated under this section subsequent to a second probation revocation are not eligible for release from imprisonment upon the successful completion of treatment.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - RECREATIONAL MARIJUANA. During the 2019-20 interim, the legislative management shall consider studying the implications of the potential adoption of an initiated measure allowing the use of recreational marijuana. The study must consider the potential benefits and detriments of legalizing recreational marijuana with respect to:

1. The state's economy, including unemployment and homelessness rates; potential tax revenues and job opportunities; spending on public health and safety programs, including law enforcement agencies and drug treatment programs; and tourism, real estate, construction, and banking;
2. Minors, including the rate of drug usage, the effects of marijuana on developing brains, and high school drop-out rates;
3. The insurance industry, including health, automobile, and life insurance;
4. The legal system, including crime rates, the prison population, and rates of usage of other drugs;
5. Workers' compensation and work-related accidents;
6. Public health and safety; and
7. The medical marijuana program.

The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1157

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 43-09-01, 43-09-05, 43-09-09, 43-09-09.2, 43-09-10, 43-09-11, 43-09-12, 43-09-13.2, 43-09-15, 43-09-15.1, 43-09-16, 43-09-18, 43-09-20, 43-09-21, 43-09-22, and 43-09-23 of the North Dakota Century Code, relating to regulation by the state electrical board; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-09-01 of the North Dakota Century Code is amended and reenacted as follows:

43-09-01. Definitions.

In this chapter, unless the context or subject matter otherwise requires:

1. "Apprentice electrician" means ~~a person~~ an individual who is learning the trade under the personal supervision of a state-licensed electrician.
2. "Board" means the state electrical board.
3. "Class B electrician" means ~~a person having~~ an individual who has the necessary qualifications, training, and technical knowledge to wire, install, and repair electrical apparatus and equipment in accordance with the standard rules and regulations governing such work, and shall have who has eighteen months' experience in farmstead or residential wiring, and shall have passed an examination before the state electrical board based upon the national electrical code as it applies to farmstead or residential wiring.
4. "Journeyman electrician" means ~~a person having~~ an individual who has the necessary qualifications, training, and technical knowledge to wire, install, and repair electrical apparatus and equipment and power limited systems in accordance with the standard rules and regulations governing such work.
5. "Licensee" means an individual who holds a valid license issued by the board.
6. "Master electrician" means ~~a person having~~ an individual who has the necessary qualifications, training, experience, and technical knowledge to plan, lay out, and supervise the installation and repair of electrical wiring apparatus, and equipment for electric light, heat, and power and power limited systems, in accordance with the standard rules and regulations governing such work.
7. "Nonelectrical system" means a class II or class III control circuit system as defined by the national electrical code, as adopted by the board, which is not installed within an area of special occupancies as defined under articles 500 through 517 of the national electrical code, as adopted by the board, which is not for heat, light, or power or for the control of heat, light, or power. Although the board may expand this definition by rule, the board may not narrow this definition.
8. "Power limited electrician" means an individual who has the necessary qualifications, training, experience, and technical knowledge to plan, layout, and supervise the installation and repair of a power limited system.

9. "Power limited system" means a system as defined by the articles contained in chapter 8 of the national electrical code, as adopted by the board. Although the board may adopt rules to expand this definition, the term does not include a nonelectrical system.

SECTION 2. AMENDMENT. Section 43-09-05 of the North Dakota Century Code is amended and reenacted as follows:

43-09-05. Powers and duties of state electrical board - Biennial report.

The board shall adopt a seal and may adopt reasonable rules to carry out this chapter. The board may submit a biennial report to the governor and the secretary of state in accordance with section 54-06-04. The board shall appoint qualified inspectors. Upon receipt of notice of completion of any electrical wiring or power limited system installation involving a value of five hundred dollars or more, the inspectors shall inspect the electrical or power limited system installation and approve or condemn that installation. The inspector shall make a report of the inspection on forms prescribed by the board.

SECTION 3. AMENDMENT. Section 43-09-09 of the North Dakota Century Code is amended and reenacted as follows:

43-09-09. License required - Examination - Board to issue license.

Every

1. ~~A person, partnership, company, corporation, limited liability company, or association that undertakes or offers~~ may not undertake or plan to undertake with another person to plan, lay out, supervise, install, make additions, make alterations, or make repairs, in the installation of wiring, apparatus, or equipment for electric light, heat, or power or for a power limited system, shall apply to unless licensed by the board for a license.
2. The board shall examine ~~the~~ an applicant for licensure and if, upon a technical and practical examination, the applicant is found to possess the required knowledge and skill and to be versed in the laws of electricity, the applicant shall be issued a license in the class for which the applicant was examined. The license ~~shall~~ must be signed by the president and the secretary of the board and attested by the seal of the board.
3. Each licensee or permitholder shall report that ~~person's individual's~~ person's individual's licensing or renewals to the electrical inspector, if there is one, in the ~~municipality~~ city in which that ~~person individual~~ person individual operates.

SECTION 4. AMENDMENT. Section 43-09-09.2 of the North Dakota Century Code is amended and reenacted as follows:

43-09-09.2. Advertising prohibited - Exceptions - Liability - Penalty.

1. Except as provided in this section, if ~~an electrical~~ a license is required under section 43-09-09 ~~or by local ordinance~~, a person may not advertise to contract for electrical services without being licensed as ~~or being associated with a class B or~~ electrician, master electrician, or power limited electrician, unless that person intends to contract the electrical services with a licensed electrical contractor.
2. If a person associates with ~~a class B or master~~ an electrician under subsection 1 and that association ends, that person is jointly and severally liable for any ~~electrical services~~ contracts entered under that association.
3. a. A person violating this section is guilty of a class B misdemeanor for a first conviction, but no fine in excess of one hundred dollars and no term of imprisonment may be imposed.

- b. A person violating this section is guilty of a class A misdemeanor for a second or subsequent conviction, but the penalties are as follows:
 - (1) For a second conviction, no fine in excess of one thousand dollars and no term of imprisonment may be imposed.
 - (2) For a third or subsequent conviction, a fine not to exceed one thousand dollars, or imprisonment not to exceed thirty days, or both, may be imposed.

SECTION 5. AMENDMENT. Section 43-09-10 of the North Dakota Century Code is amended and reenacted as follows:

43-09-10. Types of licenses.

The classes of electricians who may be licensed under section 43-09-09 are:

1. Master electrician.
2. Journeyman electrician.
3. Class B electrician.
4. Power limited electrician.

SECTION 6. AMENDMENT. Section 43-09-11 of the North Dakota Century Code is amended and reenacted as follows:

43-09-11. Qualifications.

An applicant for an electrician's license must have the following experience and training:

1. For licensure as a master electrician, an applicant must have completed one year's experience as a licensed journeyman electrician.
2. For licensure as a journeyman electrician, an applicant must have:
 - a. Completed eight thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment, which experience may not be obtained in less than three years.
 - b. Effective for an applicant who registered with the board as an apprentice after January 31, 2008, completed at least one of the following:
 - (1) Successfully completed apprenticeship training approved by the federal bureau of apprenticeship and training and completed eight thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment.
 - (2) Successfully completed an appropriate course of study, which may not be less than two years or the equivalent of two years, at a board-approved institution of higher education and completed eight thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment. The board may determine equivalent hours of education that may be applied as a credit against the eight thousand hours' experience requirement under this paragraph.
3. For licensure as a class B electrician, eighteen months' experience in farmstead or residential wiring.
4. For licensure as a power limited electrician:

- a. Hold a valid board-recognized tradesman certification; or
- b. Possess the necessary work experience and training, as approved by the board.

SECTION 7. AMENDMENT. Section 43-09-12 of the North Dakota Century Code is amended and reenacted as follows:

43-09-12. Examination - Requirements.

Each applicant for an electrician's license shall pay the examination fee and shall take an oath and submit written evidence that the applicant has had the required experience. ~~If a partnership, corporation, or limited liability company applies for a license, an officer or manager thereof shall make the application and take the oath and submit evidence as to experience.~~

SECTION 8. AMENDMENT. Section 43-09-13.2 of the North Dakota Century Code is amended and reenacted as follows:

43-09-13.2. ~~Electrical inspectors~~Inspectors - License required - Exception.

~~A person~~An individual employed by the state electrical board or a political subdivision to inspect electrical or power limited system installations must be licensed as a journeyman electrician or master electrician. ~~This section does not apply to an inspector employed by the electrical board or a political subdivision as of July 2, 1989.~~

SECTION 9. AMENDMENT. Section 43-09-15 of the North Dakota Century Code is amended and reenacted as follows:

43-09-15. Renewal of license - Denial, suspension, or revocation of licenses.

1. An electrician's license may be issued for a term of only one year, but may be renewed without examination upon the payment of the proper fee. If the licensee fails to renew the license for a period of three consecutive years or more, the licensee is required to appear for re-examination. The state electrical board may deny, suspend, revoke, or refuse to renew any license issued or applied for under the provisions of this chapter for any of the following reasons:
 - 1-a. Failure or refusal to maintain or adhere to the minimum standards set forth in the electrical code referred to in section 43-09-21.
 - 2-b. Any cause for which the issuance of the license could have been refused had ~~that~~ that information then existed and been known to the board.
 - 3-c. Commitment of any act of gross negligence, incompetency, or misconduct in the practice of ~~a master or journeyman electrician or the business of an electrical contractor~~ the profession regulated under this chapter.
 - 4-d. Material misstatement, misrepresentation, or fraud in obtaining the license.
 - 5-e. After due notice, failed or refused to correct, within the specified time, any ~~electrical~~ installation not in compliance with the provisions of this chapter.
 - 6-f. Failure or refusal to make a deposit or acquire public liability insurance as required by ~~sections 43-09-14 and~~ section 43-09-20.

- 7-g. ~~Failure to repay or enter into a written contract for repayment, under a payment schedule acceptable to the board, of money disbursed from the fund as provided under section 43-09-14, or failure to make timely payments under a payment contract entered into under the board's policy for administering the undertaking fund any financial obligation to the board.~~
- 8-h. Failure to furnish certification of completion of continuing education as required under section 43-09-15.1.

Any person whose

2. ~~If an individual's license is denied or whose license is, suspended, or revoked by the board, or where that individual is refused a license by the board, that individual may appeal to the appropriate court.~~

SECTION 10. AMENDMENT. Section 43-09-15.1 of the North Dakota Century Code is amended and reenacted as follows:

43-09-15.1. Continuing education.

~~After March 31, 1990, each~~ An applicant for renewal of an electrician's license pursuant to section 43-09-15 must have successfully completed ~~prior thereto at least four hours, and thereafter eight hours each biennium,~~ of continuing education relating to the standards set forth in section 43-09-21 or as otherwise prescribed by the board. The board may not require more than sixteen hours of continuing education in each biennium. The board shall conduct education sessions ~~for licensees each year at not less fewer~~ than six locations throughout the state. Attendance at such sessions, or attendance at other education sessions certified by the board as approved, fulfills the educational requirements of this section. The board may charge a fee ~~to licensees~~ for attendance at the education sessions at an amount to be determined by the board, but not to exceed ten dollars per ~~person~~ attendee for each session.

SECTION 11. AMENDMENT. Section 43-09-16 of the North Dakota Century Code is amended and reenacted as follows:

43-09-16. When license not required.

The following persons ~~may not be~~ are not required to hold an electrician's license ~~be licensed by and are not subject to regulation by the board under this chapter:~~

1. Employees of public utilities engaged in the manufacture and distribution of electrical energy ~~when~~ while engaged in work directly pertaining to the manufacture and distribution of electrical energy. This exemption terminates at the first point of service attachment, except for the installing or testing of electric meters and measuring devices and the maintenance of ~~their service~~ electric meters and measuring devices.
2. Employees, independent contractors, or subcontractors of a company that ~~operates or installs telephone and radio communication systems when engaged in work pertaining directly to the installation of telephone and radio communication conductors on premises where the installations are made for use exclusively for the transmission of telephone and radio signals~~ is a telecommunication carrier as defined under section 57-34-01 or that is a satellite or cable systems provider, while acting in the scope of employment or the terms of the contract.
3. Employees, independent contractors, or subcontractors of dealers in household appliances, such as room air-conditioners, clothes dryers, dishwashers, freezers, garbage disposals, refrigerators, stoves, washing machines, water heaters, and similar appliances ~~when such employees are~~ while installing and connecting such appliances to an existing electrical receptacle.

4. A representative of a manufacturing firm that is installing or modifying controls of wiring solely on industrial machinery that is for use by the firm itself, and performed by or under the direction of a registered professional engineer who issues a state-accepted evaluation, which is to be maintained with the equipment.
5. An individual who is installing a nonelectrical system.
6. An individual who is installing a power limited system that is installed within a residential dwelling or is factory cord connected to an existing receptacle.

SECTION 12. AMENDMENT. Section 43-09-18 of the North Dakota Century Code is amended and reenacted as follows:

43-09-18. ~~Apprentice to master electrician.~~

~~Any person~~An individual may serve as an apprentice under a licensed master electrician or power limited electrician, but a master electrician or power limited electrician may not allow an apprentice to work on any installation without personal supervision of a licensed electrician.

SECTION 13. AMENDMENT. Section 43-09-20 of the North Dakota Century Code is amended and reenacted as follows:

43-09-20. ~~Contract for installation of electrical wiring and installation of electrical equipment~~Installations made with master electrician, class B electrician, or power limited electrician - Requirement for liability insurance.

No

1. A contract, agreement, or undertaking with another person for the installation of electrical wiring or power limited wiring or the installation of electrical or power limited system parts of other apparatus may not be entered into by anyone ~~not other than~~ a master electrician or power limited electrician. A class B electrician, ~~as herein defined, is authorized to may not~~ enter into a contract, undertaking, or agreement for the installation of ~~farmstead~~electrical wiring, except for:
 - a. Farmstead electrical wiring; ~~or residential~~
 - b. Residential electrical wiring in one or two family dwellings located in ~~municipalities~~a city with a population of two thousand five hundred or less population, ~~and the electrician's authority under the contract, undertaking, or agreement is limited to the actual installation by that electrician of farmstead electrical wiring or residential electrical wiring in one or two family dwellings located in municipalities of two thousand five hundred or less population, and the installation of electrical equipment, appliances, and apparatus used on farmsteads and such residences. Before an electrician referred to in this section enters into a contract for installation of electrical wiring, the electrician shall deposit with the board~~fewer.
2. If a licensee is acting as a contractor, that licensee shall submit to the board evidence of the existence of public liability insurance with a licensed insurance carrier, with policy limits of at least five hundred thousand dollars for a master electrician, and two hundred fifty thousand dollars for a class B electrician.

SECTION 14. AMENDMENT. Section 43-09-21 of the North Dakota Century Code is amended and reenacted as follows:

43-09-21. Standards for electrical wiring, apparatus, and equipment.

All electrical and power limited wiring, apparatus, or equipment must comply with the rules of the board made under authority of the laws of this state and in conformity with the approved methods of construction for safety to life and property. The regulations in the national electrical code and the national electrical safety code as approved by the American national standards institute are prima facie evidence of these approved methods. ~~Any municipality~~ Although a city may make more stringent requirements by ordinance, application of the ordinance must be limited to individuals licensed by the board under this chapter. An electrical or power limited system installation may not be connected for use until proof has been furnished to the person, ~~firm, corporation, or limited liability company~~ supplying electrical energy that there is compliance with the applicable regulations. The manufacturer of a new manufactured building or modular unit shall make any changes required for the proof within fourteen days from the notice that the building or unit does not comply with the applicable regulations. This section does not apply to the movement of a new manufactured building or modular unit into or within this state before the process of being connected for use.

SECTION 15. AMENDMENT. Section 43-09-22 of the North Dakota Century Code is amended and reenacted as follows:

43-09-22. Inspection of installation - Condemnation.

1. The board has jurisdiction over and shall provide inspection for all electrical installations. ~~Inspectors~~ The board has jurisdiction over and shall provide inspection for all power limited system installations. If there is a disagreement between an electrician and an inspector over interpretation or over a correction for violation issued by any inspector, the executive director of the board shall review the identified disagreement and render a final decision, which either party may appeal to the board.
2. The executive director of the board, as authorized by the board, may condemn installations hazardous to life and property or may order specific corrections to be made. Inspectors The executive director may order disconnection of service thereto discontinued after notice to the owner of the property. The order is subject to the owner's right of appeal to the board. No ~~A~~ condemned installation may not be reconnected for service until proof has been furnished that the installation has been brought up to the required standards.
3. The board may charge ~~the~~ a master electrician, class B electrician, or power limited electrician responsible for the installation a fee ~~to cover the cost of inspection for inspections.~~ Cities
4. A city may make provisions for inspection of all electrical work done and power limited systems installed within their ~~the~~ corporate limits of the city. City inspectors A city shall register their names ~~the name of the inspector~~ with the board within ten days after their ~~of~~ appointment. A city may not require inspection of an installation that is outside the jurisdiction of the board.

SECTION 16. AMENDMENT. Section 43-09-23 of the North Dakota Century Code is amended and reenacted as follows:

43-09-23. Criminal penalty - Civil proceedings.

~~Any person who~~ A person that violates any of the provisions of this chapter is guilty of a class B misdemeanor. In addition to criminal proceedings, the board may commence administrative or civil court proceedings as follows:

1. The board may issue a cease and desist order against a person allegedly making or offering to make ~~electrical~~ installations in violation of section 43-09-09 or 43-09-09.2 based upon information provided to the board by

- its electrical inspectors or other persons, by investigation reports, affidavits, complaints of witnesses, or oral testimony given to the board at a regular or special board meeting. Violation of the cease and desist order may be considered by the court in issuing a temporary or permanent restraining order and in ordering the payment of costs and attorney's fees in proceedings authorized under this section.
2. The board may apply to the district court in the county in which the violations have occurred for a temporary or permanent injunction under chapter 32-06, enjoining persons from performing, advertising, or contracting for making electrical installations without a valid license issued by the board in violation of section 43-09-09 or 43-09-09.2. The court may not require a written undertaking, security, or bond as a basis for issuing any temporary or permanent restraining order under this section unless the court specifically orders and states the basis for requiring the security. Upon a determination that a violation of section 43-09-09 or 43-09-09.2 has occurred, the court may assess against the defendants the actual costs incurred and reasonable attorney's fees necessary for the investigation and court proceedings against the unlicensed person.
 3. After an administrative hearing has been conducted by the board under chapter 28-32, an appeal from an order of the board or from the assessment of costs and attorney's fees may be taken to the district court under chapter 28-32."

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 1106.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1106

Page 8, line 26, replace "July" with "December"

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1122.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1082 and HB 1394.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1074, HB 1517, and HB 1541, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1074: Reps. McWilliams; Buffalo; Magrum

HB 1517: Reps. D. Anderson; Tveit; Schneider

HB 1541: Reps. Paulson; Karls; Vetter

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

MR. SPEAKER: The Senate has appointed as a conference committee to act with a like committee from the House on:

HB 1045: Sens. Burckhard; Vedaa; Piepkorn

HB 1123: Sens. J. Roers; Kreun; Piepkorn

HB 1194: Sens. Anderson; K. Roers; O. Larsen

HB 1285: Sens. Clemens; K. Roers; Hogan

HB 1407: Sens. Rust; Clemens; Bakke

HB 1417: Sens. J. Lee; Anderson; K. Roers

HB 1468: Sens. Kreun; J. Roers; Piepkorn
HB 1469: Sens. Anderson; K. Roers; O. Larsen
HB 1519: Sens. K. Roers; Anderson; Clemens

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2036, SB 2061, SB 2073, SB 2110, SB 2113, SB 2120, SB 2121, SB 2162, SB 2176, SB 2181, SB 2212, SB 2281, and SB 2340.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2114, SB 2186, SB 2215, and SB 2216, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2114: Sens. Dwyer; D. Larson; Bakke
SB 2186: Sens. Rust; Fors; Marcellais
SB 2215: Sens. Davison; Schaible; Oban
SB 2216: Sens. Schaible; Rust; Marcellais

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

MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2102: Reps. Kasper; Louser; P. Anderson
SB 2258: Reps. Headland; Grueneich; Mitskog
SB 2306: Reps. Laning; Richter; Adams
SB 2344: Reps. Keiser; Roers Jones; Mitskog

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1113, HB 1125, HB 1190, HB 1252, HB 1334, HB 1339, HB 1418, HB 1432, HB 1434, HB 1477, HB 1501, HB 1534, HB 1546, HCR 3018, HCR 3019, HCR 3047.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2043, SB 2044, SB 2072, SB 2149, SB 2150, SB 2203, SB 2217, SB 2222, SB 2239, SB 2241, SB 2328, SCR 4004.

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

MR. SPEAKER: The President has signed: HB 1113, HB 1125, HB 1190, HB 1252, HB 1334, HB 1339, HB 1418, HB 1432, HB 1434, HB 1477, HB 1501, HB 1534, HB 1546, HCR 3018, HCR 3019, HCR 3047.

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

MR. SPEAKER: The President has signed: SB 2024, SB 2025, SB 2055, SB 2070, SB 2076, SB 2088, SB 2089, SB 2101, SB 2115, SB 2152, SB 2173, SB 2179, SB 2196, SB 2209, SB 2230, SB 2232, SB 2240, SB 2243, SB 2313, SB 2347.

MOTION

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

MOTION

REP. LOUSER 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, April 5, 2019, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

SB 2001, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING). Engrossed SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "to provide an exemption;"

Page 1, replace lines 13 through 21 with:

"Salaries and wages	\$3,422,574	\$171,372	\$3,593,946
Operating expenses	298,456	149,792	448,248
Contingencies	10,000	0	10,000
Roughrider awards	10,800	0	10,800
Governor's salary	265,928	8,184	274,112
Transition in	0	15,000	15,000
Transition out	0	50,000	50,000
Total general fund	\$4,007,758	\$394,348	\$4,402,106
Full-time equivalent positions	18.00	(1.00)	17.00"

Page 2, line 23, replace "six hundred twenty-three" with "three hundred sixty-four"

Page 2, line 24, remove "thirty-nine thousand six"

Page 2, line 25, replace "hundred ninety-two" with "thirty-eight thousand seven hundred forty-eight"

Page 3, line 1, remove "eight thousand four"

Page 3, line 2, replace "hundred forty-four" with "seven thousand nine hundred seventeen"

Page 3, remove lines 3 through 9

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Governor's Office - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$3,422,574	\$3,623,859	(\$29,913)	\$3,593,946
Operating expenses	298,456	508,248	(60,000)	448,248
Contingencies	10,000	10,000		10,000
Rough Rider Awards	10,800	10,800		10,800
Governor's salary	265,928	275,315	(1,203)	274,112
Transition in		15,000		15,000
Transition out		50,000		50,000
Total all funds	\$4,007,758	\$4,493,222	(\$91,116)	\$4,402,106
Less estimated income	0	0	0	0
General fund	\$4,007,758	\$4,493,222	(\$91,116)	\$4,402,106
FTE	18.00	18.00	(1.00)	17.00

Department 101 - Governor's Office - Detail of House Changes

	Adjusts Funding for Salary Increases ¹	Removes FTE Position Authorization ²	Removes Increase For Temporary Staff ³	Removes Operating Increase ⁴	Total House Changes
Salaries and wages	\$87		(\$30,000)		(\$29,913)
Operating expenses				(\$60,000)	(60,000)
Contingencies					
Rough Rider Awards					
Governor's salary	(1,203)				(1,203)
Transition in					
Transition out					
Total all funds	(\$1,116)	\$0	(\$30,000)	(\$60,000)	(\$91,116)
Less estimated income	0	0	0	0	0
General fund	(\$1,116)	\$0	(\$30,000)	(\$60,000)	(\$91,116)
FTE	0.00	(1.00)	0.00	0.00	(1.00)

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020. The Senate provided funding for a 2 percent salary increase on July 1, 2019, and a 3 percent salary increase on July 1, 2020.

² Authorization for 1 FTE position is removed. The Senate underfunded salaries and wages by \$86,305 but did not remove any FTE positions.

³ Additional funding added by the Senate for temporary staff is removed.

⁴ Funding added by the Senate for additional operating costs is removed.

This amendment also:

- Amends Sections 4 and 5 to provide the statutory changes needed to provide salary increases for the Governor and Lieutenant Governor consistent with state employee salary increases.
- Removes Section 6 which allows the Governor to decline the salary of the office.

REPORT OF STANDING COMMITTEE

SB 2007, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2007 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 17 with:

"Salaries and wages	\$2,414,984	\$60,781	\$2,475,765
Operating expenses	<u>328,918</u>	<u>71,167</u>	<u>400,085</u>
Total all funds	\$2,743,902	\$131,948	\$2,875,850
Less estimated income	<u>439,916</u>	<u>40,765</u>	<u>480,681</u>
Total general fund	\$2,303,986	\$91,183	\$2,395,169
Full-time equivalent positions	14.00	0.00	14.00"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2007 - Labor Commissioner - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$2,414,984	\$2,467,151	\$8,614	\$2,475,765
Operating expenses	<u>328,918</u>	<u>400,085</u>		<u>400,085</u>
Total all funds	\$2,743,902	\$2,867,236	\$8,614	\$2,875,850
Less estimated income	<u>439,916</u>	<u>240,127</u>	<u>240,554</u>	<u>480,681</u>
General fund	\$2,303,986	\$2,627,109	(\$231,940)	\$2,395,169
FTE	14.00	14.00	0.00	14.00

Department 406 - Labor Commissioner - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Adjusts Funding for Investigations Related to Housing Claims ²	Total House Changes
Salaries and wages	\$8,614		\$8,614
Operating expenses			
Total all funds	\$8,614	\$0	\$8,614
Less estimated income	<u>0</u>	<u>240,554</u>	<u>240,554</u>
General fund	\$8,614	(\$240,554)	(\$231,940)
FTE	0.00	0.00	0.00

¹ Funding of \$8,614 is added from the general fund for 2019-21 biennium salary adjustments of 2 percent with a minimum monthly increase of \$120 and a maximum monthly increase of \$200 on July 1, 2019, and a 2.5 percent increase on July 1, 2020. Funding provided by the House for salary increases totals \$77,207 from the general fund. The Senate provided salary increases of 2 percent on July 1, 2019, and 3 percent on July 1 2020, to provide total salary increases of \$68,593.

² Funding of \$240,554, of which \$158,709 is for salaries and wages and \$81,845 is for operating expenses, is adjusted from the general fund to federal funds for housing claims

investigations. The Senate changed the funding source for housing claims investigations from federal funds to the general fund. The House amendments change the funding source back to federal funds, the same as the base level appropriations.

REPORT OF STANDING COMMITTEE

SB 2014, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2014 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 16 with:

"Protection and advocacy operations	\$6,447,600	\$614,180	\$7,061,780
Total all funds	\$6,447,600	\$614,180	\$7,061,780
Less estimated income	3,488,601	428,822	3,917,423
Total general fund	\$2,958,999	\$185,358	\$3,144,357
Full-time equivalent positions	27.50	0.00	27.50"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2014 - Protection and Advocacy Project - House Action

	Base Budget	Senate Version	House Changes	House Version
Protection and advocacy operations	\$6,447,600	\$7,311,466	(\$249,686)	\$7,061,780
Total all funds	\$6,447,600	\$7,311,466	(\$249,686)	\$7,061,780
Less estimated income	3,488,601	3,993,330	(75,907)	3,917,423
General fund	\$2,958,999	\$3,318,136	(\$173,779)	\$3,144,357
FTE	27.50	28.50	(1.00)	27.50

Department 360 - Protection and Advocacy Project - Detail of House Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Removes Olmstead Commission Position ²	Reduces Funding for Operating Expenses ³	Total House Changes
Protection and advocacy operations	(\$3,757)	(\$238,929)	(\$7,000)	(\$249,686)
Total all funds	(\$3,757)	(\$238,929)	(\$7,000)	(\$249,686)
Less estimated income	(1,292)	(74,615)	0	(75,907)
General fund	(\$2,465)	(\$164,314)	(\$7,000)	(\$173,779)
FTE	0.00	(1.00)	0.00	(1.00)

¹ Funding of \$3,757, of which \$2,465 is from the general fund and \$1,292 is from federal funds, is reduced to provide funding for state employee salary increases of 2 percent with a minimum monthly increase of \$120 and a maximum monthly increase of \$200 on July 1, 2019, and an increase of 2.5 percent on July 1, 2020, to provide total salary increases of \$155,823. The Senate provided funding for a salary increase of 2 percent on July 1, 2019, and 3 percent on July 1, 2020 providing total salary increases of \$159,580.

² Funding of \$238,929 is removed for 1 FTE Olmstead Commission position, of which \$164,314 is from the general fund and \$74,615 is from federal funds.

³ Funding for operating expenses is reduced by \$7,000 from the general fund.

REPORT OF STANDING COMMITTEE

SB 2018, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2018 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 21 with:

"Salaries and wages	\$13,595,892	\$699,924	\$14,295,816
Operating expenses	3,885,894	55,691	3,941,585
Capital assets	1,747,653	637,889	2,385,542
Grants	600,000	0	600,000
Exhibits	0	372,000	372,000
Cultural heritage grants	0	500,000	500,000
Total all funds	\$19,829,439	\$2,265,504	\$22,094,943
Less estimated income	3,155,795	123,457	3,279,252
Total general fund	\$16,673,644	\$2,142,047	\$18,815,691
Full-time equivalent positions	75.00	0.00	75.00"

Page 2, replace lines 5 through 9 with:

"Auditorium chairs	0	160,000
Total all funds	\$1,000,000	\$1,532,000
Less estimated income	1,000,000	85,000
Total general fund	\$0	\$1,447,000"

Page 2, remove lines 23 through 30

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2018 - State Historical Society - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$13,595,892	\$14,251,854	\$43,962	\$14,295,816
Operating expenses	3,885,894	3,941,585		3,941,585
Capital assets	1,747,653	2,785,542	(400,000)	2,385,542
Grants	600,000	600,000		600,000
Exhibits		372,000		372,000
Cultural heritage grants		20,000	480,000	500,000
Total all funds	\$19,829,439	\$21,970,981	\$123,962	\$22,094,943
Less estimated income	3,155,795	3,477,653	(198,401)	3,279,252
General fund	\$16,673,644	\$18,493,328	\$322,363	\$18,815,691
FTE	75.00	75.00	0.00	75.00

Department 701 - State Historical Society - Detail of House Changes

	Adjusts Funding for Salary Increases ¹	Increases Funding for Cultural Heritage Grants ²	Removes Funding for Whitestone Hill Native Memorial ³	Total House Changes
Salaries and wages	\$43,962			\$43,962
Operating expenses				
Capital assets			(\$400,000)	(400,000)
Grants				
Exhibits				
Cultural heritage grants		\$480,000		480,000
Total all funds	\$43,962	\$480,000	(\$400,000)	\$123,962
Less estimated income	1,599	0	(200,000)	(198,401)
General fund	\$42,363	\$480,000	(\$200,000)	\$322,363
FTE	0.00	0.00	0.00	0.00

¹ Funding is added to provide for employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and an increase of 2.5 percent on July 1, 2020. The Senate provided funding for salary increases of 2 percent on July 1, 2019, and 3 percent on July 1, 2020.

² Funding for cultural heritage grants is increased by \$480,000 from the general fund, to provide a total of \$500,000. The Senate added \$20,000 from the general fund for cultural heritage grants.

³ One-time funding of \$400,000 from the general fund (\$200,000) and other funds (\$200,000) added by the Senate for the Whitestone Hill native memorial is removed.

The House removed a section added by the Senate to authorize the agency to spend \$25,000 of the general fund appropriation after June 30, 2019, for the planning and design of the Whitestone Hill native memorial and provided the agency may spend, on a \$1 for \$1 match from other funds, the remaining \$175,000 from the general fund for the memorial, during the 2019-21 biennium.

REPORT OF STANDING COMMITTEE

SB 2041, as engrossed: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2041 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "; and to repeal subsection 6 of section 21-03-06 of the North Dakota Century"

Page 1, line 4, remove "Code, relating to the issuance of bonds by the governing body of a park district"

Page 1, remove lines 22 and 23

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2124, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO PASS** (18 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2124, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2264: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2264 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to the board of university and school lands and exempt administrative agencies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 28-32-01 of the North Dakota Century Code is amended and reenacted as follows:

2. "Administrative agency" or "agency" means each board, bureau, commission, department, or other administrative unit of the executive branch of state government, including one or more officers, employees, or other persons directly or indirectly purporting to act on behalf or under authority of the agency. An administrative unit located within or subordinate to an administrative agency must be treated as part of that agency to the extent it purports to exercise authority subject to this chapter. The term administrative agency does not include:
 - a. The office of management and budget except with respect to rules made under section 32-12.2-14, rules relating to conduct on the capitol grounds and in buildings located on the capitol grounds under section 54-21-18, rules relating to the classified service as authorized under section 54-44.3-07, and rules relating to state purchasing practices as required under section 54-44.4-04.
 - b. The adjutant general with respect to the department of emergency services.
 - c. The council on the arts.
 - d. The state auditor.

- e. The department of commerce with respect to the division of economic development and finance.
- f. The dairy promotion commission.
- g. The education factfinding commission.
- h. The educational technology council.
- i. The board of equalization.
- j. The board of higher education.
- k. The Indian affairs commission.
- l. The industrial commission with respect to the activities of the Bank of North Dakota, North Dakota housing finance agency, public finance authority, North Dakota mill and elevator association, North Dakota farm finance agency, the North Dakota transmission authority, and the North Dakota pipeline authority.
- m. The department of corrections and rehabilitation except with respect to the activities of the division of adult services under chapter 54-23.4.
- n. The pardon advisory board.
- o. The parks and recreation department.
- p. The parole board.
- q. The state fair association.
- r. The attorney general with respect to activities of the state toxicologist and the state crime laboratory.
- s. The administrative committee on veterans' affairs except with respect to rules relating to the supervision and government of the veterans' home and the implementation of programs or services provided by the veterans' home.
- t. The industrial commission with respect to the lignite research fund except as required under section 57-61-01.5.
- u. The attorney general with respect to guidelines adopted under section 12.1-32-15 for the risk assessment of sexual offenders, the risk level review process, and public disclosure of information under section 12.1-32-15.
- v. The commission on legal counsel for indigents.
- w. The attorney general with respect to twenty-four seven sobriety program guidelines and program fees.
- x. The industrial commission with respect to approving or setting water rates under chapter 61-40.
- y. The board of university and school lands with respect to the adjudicative proceeding requirements and procedures under sections 28-32-21 through 28-32-51."

Renumber accordingly

Chairman) recommends **DO PASS** (15 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2317, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2353, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2353 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2362, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO PASS** (17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2362 was placed on the Fourteenth order on the calendar.

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

Buell J. Reich, Chief Clerk