

JOURNAL OF THE HOUSE

Sixty-sixth Legislative Assembly

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Bismarck, January 25, 2019

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

The prayer was offered by Pastor Allen Finger, Bismarck Baptist Church, Bismarck.

The roll was called and all members were present except Representatives D. Anderson, O'Brien, M. Ruby, and Weisz.

A quorum was declared by the Speaker.

MOTION

REP. LOUSER MOVED that HB 1245 be returned to the House floor from the **Judiciary Committee** for the purpose of withdrawal, which motion prevailed on a voice vote.

REQUEST

REP. DOCKTER REQUESTED the unanimous consent of the House to withdraw HB 1245. There being no objection, it was so ordered by the Speaker.

MOTION

REP. LOUSER MOVED that HB 1427 be returned to the House floor from the **Energy and Natural Resources Committee** for the purpose of withdrawal, which motion prevailed on a voice vote.

REQUEST

REP. SCHATZ REQUESTED the unanimous consent of the House to withdraw HB 1427. There being no objection, it was so ordered by the Speaker.

MOTION

REP. LOUSER MOVED that HB 1540 be returned to the House floor from the **Appropriations Committee** and be rereferred to the **Human Services Committee**, which motion prevailed on a voice vote.

Pursuant to Rep. Louser's motion, HB 1540 was rereferred.

MOTION

REP. LOUSER MOVED that HCR 3040 be returned to the House floor from the **Industry, Business and Labor Committee** and be rereferred to the **Finance and Taxation Committee**, which motion prevailed on a voice vote.

Pursuant to Rep. Louser's motion, HCR 3040 was rereferred.

MOTION

REP. LOUSER MOVED that HB 1053 and Engrossed HB 1106, which are on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Louser's motion, HB 1053 and Engrossed HB 1106 were rereferred.

MOTION

REP. LOUSER MOVED that HB 1390 be moved to the bottom of the Eleventh order, which motion prevailed on a voice vote.

SIXTH ORDER OF BUSINESS

SPEAKER KLEMIN DEEMED approval of the amendments to HB 1061, HB 1276, HB 1296, HB 1318, HB 1346, HB 1464, and HB 1501.

HB 1318, as amended, was rereferred to the **Appropriations Committee**.

HB 1061, HB 1276, HB 1296, HB 1346, HB 1464, and HB 1501, as amended, were placed

on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1422: A BILL for an Act to amend and reenact sections 28-32-20 and 54-03-24 of the North Dakota Century Code, relating to electronic notification of the administrative code.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; 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; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; 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; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

NAYS: Ertelt

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Weisz

HB 1422 passed.

SECOND READING OF HOUSE BILL

HB 1376: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and section 54-17-07.13 of the North Dakota Century Code, relating to criminal history record checks for the housing finance agency.

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: Adams; Anderson, B.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; 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, K.; Kreidt; Laning; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Owens; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Trottier; Tveit; Vigesaa; Zubke; Speaker Klemin

NAYS: Becker; Bellew; Delzer; Ertelt; Hoverson; Johnston; Koppelman, B.; Louser; Magrum; Marschall; McWilliams; Nelson, M.; Paulson; Ruby, M.; Schatz; Simons; Skroch; Toman; Vetter; Westlind

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Weisz

HB 1376 passed.

SECOND READING OF HOUSE BILL

HB 1386: A BILL for an Act to amend and reenact sections 57-36-01, 57-36-02, 57-36-04, 57-36-05, 57-36-09, 57-36-09.1, 57-36-24, 57-36-25, 57-36-26, 57-36-28, 57-36-29,

and 57-36-33 of the North Dakota Century Code, relating to the imposition of tax on electronic smoking devices; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 22 YEAS, 69 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Beadle; Boe; Bosch; Boschee; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Holman; Keiser; Martinson; Mitskog; Mock; Monson; Nelson, M.; Schneider; Westlind; Speaker Klemin

NAYS: Anderson, B.; Becker; Bellew; Blum; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; McWilliams; Meier; Nathe; Nelson, J.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Zubke

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Weisz

HB 1386 failed.

SECOND READING OF HOUSE BILL

HB 1450: A BILL for an Act to amend and reenact section 57-36-32 of the North Dakota Century Code, relating to an increase in the tobacco products tax rate for cigarettes; 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 NOT PASS, the roll was called and there were 25 YEAS, 66 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Boe; Bosch; Boschee; Buffalo; Dobervich; Eidson; Fegley; Guggisberg; Hager; Hanson; Holman; Keiser; Laning; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; Owens; Schneider; Westlind; Zubke; Speaker Klemin

NAYS: Anderson, B.; Beadle; Becker; Bellew; Blum; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fisher; Grueneich; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Nathe; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Weisz

HB 1450 failed.

SECOND READING OF HOUSE BILL

HB 1372: A BILL for an Act to create and enact a new chapter to title 47 of the North Dakota Century Code, relating to the required disclosure of radon hazards by a seller.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 91 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

NAYS: Adams; Anderson, B.; 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.; Owens; 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; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Weisz

HB 1372 failed.

SECOND READING OF HOUSE BILL

HB 1185: A BILL for an Act to create and enact a new subsection to section 12.1-32-07 of the North Dakota Century Code, relating to petitions for revocation of probation; to amend and reenact subsection 9 of section 12.1-32-02 of the North Dakota Century Code, relating to reduction of felonies to misdemeanors by operation of law; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; 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.; Owens; 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; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Weisz

HB 1185 passed.

SECOND READING OF HOUSE BILL

HB 1136: A BILL for an Act to amend and reenact section 48-01.2-06 of the North Dakota Century Code, relating to bid requirements for public improvements.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; 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.; Owens; 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; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Weisz

HB 1136 passed.

SECOND READING OF HOUSE BILL

HB 1284: A BILL for an Act to create and enact section 32-16-49 of the North Dakota Century Code, relating to equitable buyouts of cotenant interests in an estate of inheritance subject to a partition; and to amend and reenact section 30.1-20-11 of the North Dakota Century Code, relating to partitions.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; 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.; Owens; 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; Trotter; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

NAYS: Simons

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Weisz

HB 1284 passed.

SECOND READING OF HOUSE BILL

HB 1351: A BILL for an Act to amend and reenact section 9-08-06 of the North Dakota Century Code, relating to contractual noncompete provisions.

ROLL CALL

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

YEAS: Adams; Anderson, B.; 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; 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; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schreiber-Beck; Steiner; Strinden; Trotter; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Klemin

NAYS: Boe; Ertelt; Magrum; McWilliams; Monson; Schobinger; Simons; Skroch; Toman

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Weisz

HB 1351 passed.

SECOND READING OF HOUSE BILL

HB 1377: A BILL for an Act to amend and reenact sections 43-35-03, 43-35-17, and 43-35-23 of the North Dakota Century Code, relating to state board of water well contractors and continuing education requirements for water well pump and pitless unit installers; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; 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.; Owens; 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; Tveit; Vetter; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Vigesaa; Weisz

HB 1377 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1465: A BILL for an Act to amend and reenact sections 12.1-20-16 and 12.1-29-06 of the North Dakota Century Code, relating to appointment of guardian ad litem in prosecution for sex offenses and solicitation offense; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; 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.; Owens; 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; Tveit; Vetter; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Vigesaa; Weisz

HB 1465 passed.

SECOND READING OF HOUSE BILL

HB 1452: A BILL for an Act to amend and reenact section 12.1-08-11 of the North Dakota Century Code, relating to refusing to halt to a peace officer; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; McWilliams; Meier; Mitskog; Monson; Nelson, M.; Owens; Paulson; Paur; Pollert; Pyle; 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; Westlind; Zubke; Speaker Klemin

NAYS: Bosch; Fisher; Heinert; Keiser; Martinson; Mock; Nathe; Nelson, J.; Porter

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Vigesaa; Weisz

HB 1452 passed.

SECOND READING OF HOUSE BILL

HB 1118: A BILL for an Act to amend and reenact subsection 1 of section 27-09.1-05 of the North Dakota Century Code, relating to the master list for jury selection.

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 85 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; 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.; Owens; 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; Tveit; Vetter; Westlind; Zubke; Speaker Klemin

NAYS: Delzer; Ertelt; Hager; Johnston; Simons

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Vigesaa; Weisz

HB 1118 passed.

SECOND READING OF HOUSE BILL

HB 1275: A BILL for an Act to amend and reenact section 28-32-02 of the North Dakota Century Code, relating to limitations on the adoption of administrative rules.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 1 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; 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.; Owens; 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; Tveit; Vetter; Westlind; Zubke; Speaker Klemin

NAYS: Nelson, M.

ABSENT AND NOT VOTING: Anderson, D.; O'Brien; Vigesaa; Weisz

Engrossed HB 1275 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: HB 1052, HB 1079, HB 1180, HB 1198, HB 1282, HB 1327.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2184, SB 2208, SB 2240, SB 2246, SB 2262, SB 2305.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2178.

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 1:00 p.m., Monday, January 28, 2019, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

HB 1143: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1143 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1188: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1188 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1199: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1199 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1201: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1201 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1209: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1209 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1212: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1212 was

placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1218: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO NOT PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1218 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1219: Industry, Business and Labor Committee (Rep. Keiser, 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). HB 1219 was placed on the Sixth order on the calendar.

Page 13, line 1, replace "seven" with "three"

Page 14, line 24, replace "seven" with "three"

Page 14, line 26, replace "seven" with "three"

Page 18, line 23, after the underscored semicolon insert "or"

Page 18, line 24, remove ";or"

Page 18, remove line 25

Page 18, line 26, remove "residential real estate"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1227: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1227 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1232: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1232 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1243: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1243 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1257: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1257 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1264: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1264 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1297: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1297 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1299: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1299 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1304: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1304 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1312: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1312 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1314: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1314 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1317: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1317 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1352: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1352 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, replace "an" with "a contingent"

Page 1, line 2, after "appropriation" insert "; and to provide a contingent effective date"

Page 1, line 13, after the first boldfaced period insert "**CONTINGENT**"

Page 1, after line 17, insert:

"SECTION 3. CONTINGENT EFFECTIVE DATE. This Act becomes effective on June 30, 2020, if the commissioner of the board of university and school lands certifies to the director of the office of management and budget that the strategic investment and improvements fund has an unobligated and undesignated balance of at least \$10,000,000."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1367: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1367 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1387: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). HB 1387 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1404: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1404 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1421: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1421 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1438: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1438 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1440: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1440 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1451: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1451 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1471: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1471 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1490: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1490 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1502: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1502 was placed on the Sixth order on the calendar.

Page 2, line 7, overstrike "special events" and insert immediately thereafter "event"

Page 2, line 7, overstrike "twenty" and insert immediately thereafter "forty"

Page 2, line 11, overstrike "a special"

Page 2, line 12, overstrike "events" and insert immediately thereafter "an event"

Page 2, line 14, overstrike "twenty special" and insert immediately thereafter "forty"

Page 3, line 18, replace "twenty-five thousand proof gallons [94635.3 liters]" with "five hundred cases"

Page 3, line 19, after the underscored period insert "Individual shipments delivered by common carrier may not exceed three cases a day for each licensed retailer. A case may not exceed two and thirty-eight hundredths gallons [9 liters]."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1528: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1528 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk

