

JOURNAL OF THE HOUSE

Sixty-seventh Legislative Assembly

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Bismarck, February 16, 2021

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

The prayer was offered by Rev. Canon Hal Weidman, St. George's Episcopal Memorial Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

SECOND READING OF HOUSE BILL

HB 1415: A BILL for an Act to create and enact chapter 23-06.7 of the North Dakota Century Code, relating to end-of-life health care decisions; 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 9 YEAS, 85 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Boschee; Dobervich; Guggisberg; Hager; Hanson; Johnson, M.; Schneider

NAYS: Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1415 failed.

SECOND READING OF HOUSE BILL

HB 1417: A BILL for an Act to amend and reenact section 54-59-05 of the North Dakota Century Code, relating to the powers and duties of the information technology department.

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, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke;

Speaker Koppelman, K.

NAYS: Christensen; Ertelt; Magrum; Simons

HB 1417 passed.

SECOND READING OF HOUSE BILL

HB 1064: A BILL for an Act to amend and reenact section 54-59-05 of the North Dakota Century Code, relating to the powers and duties of the information technology department.

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, 94 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1064 failed.

SECOND READING OF HOUSE BILL

HB 1360: A BILL for an Act to create and enact three new sections to chapter 16.1-06 of the North Dakota Century Code, relating to making scanned images of ballots available to the public and duplicating vote tallies; to amend and reenact subsection 1 of section 16.1-01-01, section 16.1-01-07, subsection 5 of section 16.1-05-04, section 16.1-06-03, subsection 1 of section 16.1-06-04, sections 16.1-06-12, 16.1-06-15, 16.1-06-26, 16.1-11-27, 16.1-11-35, 16.1-13-25, and 16.1-13-29, subsection 1 of section 16.1-15-01, sections 16.1-15-02 and 16.1-15-04, subsection 1 of section 16.1-15-08, and sections 16.1-15-10 and 16.1-16-07 of the North Dakota Century Code, relating to elimination of electronic voting and requiring paper ballots; to repeal sections 16.1-06-11, 16.1-06-14, 16.1-06-17, 16.1-06-20, 16.1-06-25, 16.1-07-13, 16.1-13-24, 16.1-13-33, and 16.1-15-09 of the North Dakota Century Code, relating to electronic voting; 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 8 YEAS, 86 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Christensen; Ertelt; Hoverson; Magrum; Marschall; Nelson, M.; Simons; Skroch

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier;

Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1360 failed.

SECOND READING OF HOUSE BILL

HB 1312: A BILL for an Act to create and enact section 37-17.1-05.1 of the North Dakota Century Code, relating to limiting the governor's authority regarding elections; to amend and reenact subdivision c of subsection 4 of section 16.1-01-04.1, subsection 3 of section 16.1-04-02, subsection 1 of section 16.1-05-09, sections 16.1-07-01 and 16.1-07-05, subsection 1 of section 16.1-07-06, and sections 16.1-07-12 and 16.1-15-04 of the North Dakota Century Code, relating to eliminating early mail ballot elections and in-person voting and limiting voters eligible to cast absentee ballots; to repeal section 16.1-07-15 and chapter 16.1-11.1 of the North Dakota Century Code, relating to early voting precincts and mail ballot elections; 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 7 YEAS, 86 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christensen; Delzer; Ertelt; Headland; Hoverson; Magrum; Ruby, D.

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Devlin; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

ABSENT AND NOT VOTING: Dobervich

HB 1312 failed.

SECOND READING OF HOUSE BILL

HB 1280: A BILL for an Act to create and enact a new section to chapter 16.1-16 of the North Dakota Century Code, relating to nullification of official actions; to amend and reenact subsection 1 of section 16.1-01-01, section 16.1-01-07, subsection 5 of section 16.1-05-04, section 16.1-06-03, subsection 1 of section 16.1-06-04, sections 16.1-06-10.1, 16.1-06-12, 16.1-06-15, 16.1-06-17, 16.1-06-20, 16.1-06-25, 16.1-06-26, 16.1-07-07, 16.1-11-27, 16.1-11-35, 16.1-13-25, and 16.1-13-29, subsection 1 of section 16.1-15-01, sections 16.1-15-02 and 16.1-15-04, subsection 1 of section 16.1-15-08, and sections 16.1-15-09, 16.1-15-10, 16.1-15-13, 16.1-16-04, 16.1-16-07, and 40-21-09 of the North Dakota Century Code, relating to electronic counting machines, ballots, election procedures, and election contests; to repeal sections 16.1-06-11, 16.1-06-14, 16.1-07-13, 16.1-13-24, and 16.1-13-33 of the North Dakota Century Code, relating to electronic voting systems; to provide a penalty; and to provide for retroactive application.

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 13 YEAS, 81 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Becker; Bellew; Christensen; Ertelt; Hoverson; Jones; Kempenich; Magrum; Marschall; Schatz; Simons; Skroch; Toman

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1280 failed.

SECOND READING OF HOUSE BILL

HB 1198: A BILL for an Act to create and enact a new subsection to section 37-17.1-05 of the North Dakota Century Code, relating to the governor's authority regarding polling places during a declared state of disaster or 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 77 YEAS, 17 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nehring; Nelson, J.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Speaker Koppelman, K.

NAYS: Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Ista; Mitskog; Nathe; Nelson, M.; Schneider; Zubke

HB 1198 passed.

SECOND READING OF HOUSE BILL

HB 1171: A BILL for an Act to amend and reenact subsection 1 of section 16.1-11.1-01 of the North Dakota Century Code, relating to requiring a physical polling place for mail ballot elections.

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 8 YEAS, 86 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Delzer; Ertelt; Kreidt; Marschall; Simons; Skroch; Thomas; Toman

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1171 failed.

SECOND READING OF HOUSE BILL

HB 1173: A BILL for an Act to amend and reenact sections 16.1-01-07 and 16.1-06-09 of the North Dakota Century Code, relating to providing electors the full text of constitutional amendments and initiated and referred measures.

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, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fisher; Guggisberg; Hager; Hagert; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Adams; Boschee; Buffalo; Dobervich; Fegley; Hanson; Hatlestad; Ista; Nelson, M.

Engrossed HB 1173 passed.

SECOND READING OF HOUSE BILL

HB 1119: A BILL for an Act to amend and reenact section 16.1-06-09 of the North Dakota Century Code, relating to printing initiated measures and constitutional amendments on the ballot.

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 1 YEAS, 93 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Simons

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1119 failed.

SECOND READING OF HOUSE BILL

HB 1341: A BILL for an Act to amend and reenact section 34-06-22 of the North Dakota Century Code, relating to the state minimum wage rate.

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 12 YEAS, 82 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Johnson, M.; Nelson, M.; Schneider

NAYS: Anderson, B.; Anderson, D.; Becker; Bellev; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1341 failed.

SECOND READING OF HOUSE BILL

HB 1440: A BILL for an Act to amend and reenact section 47-16-20 of the North Dakota Century Code, relating to rents and the priority of payments under a rental agreement.

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 20 YEAS, 74 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Ertelt; Guggisberg; Hager; Hanson; Ista; Mitskog; Mock; Nelson, M.; O'Brien; Richter; Roers Jones; Schneider; Schobinger; Vetter

NAYS: Anderson, B.; Anderson, D.; Becker; Bellev; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Fegley; Fisher; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nehring; Nelson, J.; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1440 failed.

SECOND READING OF HOUSE BILL

HB 1434: A BILL for an Act to create and enact a new section to chapter 34-02 of the North Dakota Century Code, relating to compensation history of prospective employees; to amend and reenact section 34-02-18 of the North Dakota Century Code, relating to employment references; 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 14 YEAS, 80 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Mitskog; Mock; Nelson, M.; Schneider

NAYS: Anderson, B.; Anderson, D.; Becker; Bellev; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher;

Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1434 failed.

SECOND READING OF HOUSE BILL

HB 1179: A BILL for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code and section 12 of chapter 471 of the 2013 Session Laws, relating to reporting requirements for schools, counties, and hub cities receiving oil and gas gross production tax allocations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Becker; Bellew; Buffalo; Christensen; Delzer; Ertelt; Magrum; Simons; Skroch; Toman

Engrossed HB 1179 passed.

SECOND READING OF HOUSE BILL

HB 1238: A BILL for an Act to amend and reenact sections 16.1-04-02 and 16.1-11.1-01 of the North Dakota Century Code, relating to polling places.

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 49 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Bellew; Bosch; Cory; Damschen; Ertelt; Hagert; Heinert; Hoverson; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Lefor; Longmuir; Louser; Magrum; Marschall; Meier; Nathe; Owens; Paulson; Pollert; Porter; Pyle; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Skroch; Steiner; Stemen; Strinden; Toman; Trottier; Vetter; Speaker Koppelman, K.

NAYS: Adams; Anderson, P.; Beltz; Boe; Boschee; Brandenburg; Buffalo; Christensen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Kempenich; Kreidt; Martinson; Mitskog; Mock; Monson; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paur; Richter; Roers Jones; Schneider; Schreiber-Beck; Simons; Thomas; Tveit; Vigesaa; Weisz; Westlind; Zubke

Engrossed HB 1238 passed.

ANNOUNCEMENT

SPEAKER K. KOPPELMAN ANNOUNCED that the House stand in recess for 10 minutes.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker K. Koppelman presiding.

SECOND READING OF HOUSE BILL

HB 1231: A BILL for an Act to provide for a legislative management study regarding the benefits of investing legacy fund moneys locally.

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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

Engrossed HB 1231 passed.

SECOND READING OF HOUSE BILL

HB 1455: A BILL for an Act to amend and reenact section 49-22-04 of the North Dakota Century Code, relating to ten-year 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

Engrossed HB 1455 passed.

SECOND READING OF HOUSE BILL

HB 1376: A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota Century Code, relating to employer immunity regarding COVID-19; 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 80 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Boe; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Headland; Heinert; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

NAYS: Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Hoverson; Ista; Mitskog; Nelson, M.; Schneider; Skroch

Engrossed HB 1376 passed.

SECOND READING OF HOUSE BILL

HB 1315: A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 and section 39-09-09 of the North Dakota Century Code, relating to speed limitations on multilane highways and minimum speed limits; and to provide a penalty.

REQUEST

REP. HOWE REQUESTED that the House divide Engrossed HB 1315, which request was granted on a voice vote.

DIVISION A: Section 1

DIVISION B: Section 2

ROLL CALL

The question being on the final adoption of Division A of Engrossed HB 1315, the roll was called and there were 38 YEAS, 56 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Becker; Boschee; Christensen; Dobervich; Dockter; Ertelt; Fisher; Hatlestad; Headland; Howe; Johnson, M.; Jones; Kading; Kasper; Koppelman, B.; Lefor; Louser; Magrum; Marschall; Mock; Nehring; Paulson; Pollert; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Schatz; Schauer; Schmidt; Schneider; Simons; Skroch; Stemen; Vetter; Weisz; Speaker Koppelman, K.

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Fegley; Guggisberg; Hager; Hagert; Hanson; Heinert; Hoverson; Ista; Johnson, D.; Karls; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Longmuir; Martinson; Meier; Mitskog; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paur; Porter; Rohr; Sanford; Satrom; Schobinger; Schreiber-Beck; Steiner; Strinden; Thomas; Toman; Trottier; Tveit; Vigasaa; Westlind; Zubke

Division A of Engrossed HB 1315 failed on a recorded roll call vote.

ROLL CALL

The question being on the final adoption of Division B of Engrossed HB 1315, the roll was called and there were 12 YEAS, 81 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bellew; Guggisberg; Hagert; Kasper; Keiser; Klemin; Nelson, M.; Ostlie; Paur; Satrom; Steiner; Vetter

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kempenich; Kiefert; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

ABSENT AND NOT VOTING: Sanford

Division B of Engrossed HB 1315 failed on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1424: A BILL for an Act to provide for a legislative management study regarding compensation and expense reimbursement of members of the legislative assembly.

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 57 YEAS, 36 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, P.; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Kading; Kasper; Kempenich; Kiefert; Koppelman, B.; Kreidt; Longmuir; Louser; Marschall; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Pyle; Richter; Roers Jones; Rohr; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Trottier; Tveit; Vetter; Weisz; Zubke

NAYS: Anderson, D.; Becker; Boe; Boschee; Buffalo; Damschen; Delzer; Devlin; Dobervich; Guggisberg; Heinert; Hoverson; Johnson, M.; Jones; Karls; Keiser; Klemin; Lefor; Magrum; Martinson; Meier; Mitskog; Monson; Nehring; Porter; Ruby, D.; Ruby, M.; Satrom; Schauer; Simons; Skroch; Thomas; Toman; Vigasaa; Westlind; Speaker Koppelman, K.

ABSENT AND NOT VOTING: Sanford

Engrossed HB 1424 passed.

SECOND READING OF HOUSE BILL

HB 1446: A BILL for an Act to create and enact a new section to chapter 21-10 and a new section to chapter 57-02 of the North Dakota Century Code, relating to the transfer of legacy fund earnings to a property tax relief fund and a property tax credit for property used as a primary residence; to provide a continuing appropriation; to provide for a transfer; to provide an exemption; to provide an effective date; and to declare an emergency.

CONFLICT OF INTEREST

REP. MAGRUM STATED that he had a conflict of interest on HB 1446.

MOTION

REP. LOUSER MOVED that Rep. Magrum be allowed to vote on HB 1446, which motion prevailed on a voice vote.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 24 YEAS, 69 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Becker; Bellew; Boe; Christensen; Ertelt; Hoverson; Jones; Kading; Kasper; Koppelman, B.; Magrum; Marschall; Paulson; Paur; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Simons; Skroch; Toman; Trottier; Speaker Koppelman, K.

NAYS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Karls; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke

ABSENT AND NOT VOTING: Sanford

HB 1446 failed.

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 1035, HB 1113, HB 1162, HB 1176, HB 1196, HB 1303, HB 1368, HB 1406, HB 1427, HB 1435, HB 1457, HCR 3025, HCR 3027.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1087, HB 1445.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2007, SB 2016, SB 2019, SB 2024, SB 2075, SB 2092, SB 2241, SB 2299, SB 2304, SB 2330, SB 2332.

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 2001.

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., Wednesday, February 17, 2021, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

HB 1011: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, replace lines 8 through 13 with:

"		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$2,163,558	\$47,602	\$2,211,160
Operating expenses	<u>593,561</u>	<u>1,542</u>	<u>595,103</u>
Total special funds	\$2,757,119	\$49,144	\$2,806,263
Full-time equivalent positions	10.00	0.00	10.00"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Securities Department - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$2,163,558	\$47,602	\$2,211,160

Operating expenses	593,561	1,542	595,103
Total all funds	\$2,757,119	\$49,144	\$2,806,263
Less estimated income	2,757,119	49,144	2,806,263
General fund	\$0	\$0	\$0
FTE	10.00	0.00	10.00

Department 414 - Securities Department - Detail of House Changes

	Adds Funding for Salary and Benefit Increases ¹	Adds Funding for Microsoft Office 365 License Expenses ²	Total House Changes
Salaries and wages	\$47,602		\$47,602
Operating expenses		\$1,542	1,542
Total all funds	\$47,602	\$1,542	\$49,144
Less estimated income	47,602	1,542	49,144
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<u>Other Funds</u>
Salary increase	\$47,115
Health insurance increase	487
Total	\$47,602

² Funding is added for Microsoft Office 365 license expenses.

REPORT OF STANDING COMMITTEE

HB 1105: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1105 was placed on the Sixth order on the calendar.

Page 2, line 9, remove "**- Penalty**"

Page 2, line 10, after the second "a" insert "A"

Page 2, line 10, remove the overstrike over "~~woman~~"

Page 2, line 10, remove "An individual"

Page 2, line 11, remove the overstrike over "~~where the woman~~"

Page 2, line 11, remove "the individual"

Page 2, line 12, remove "Any person that prohibits or attempts to prohibit an individual from"

Page 2, remove line 13

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1183: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1183 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the first "a" with "two"

Page 1, line 1, replace "section" with "sections"

Page 1, line 1, remove "and a new chapter to"

Page 1, line 2, remove "title 43"

Page 1, line 3, after "and" insert "establishing"

Page 1, line 3, remove "licensing of installers of"

Page 1, line 4, replace "sewage treatment systems" with "wastewater recycling technical committee"

Page 1, line 4, after the first semicolon insert "and"

Page 1, line 4, remove "; and to provide a penalty"

Page 1, line 11, replace "board" with "committee"

Page 1, remove lines 12 through 24

Page 2, remove lines 1 through 30

Page 3, replace lines 1 through 7 with:

"SECTION 2. A new section to chapter 23-35 of the North Dakota Century Code is created and enacted as follows:

Onsite wastewater recycling technical committee - Appointment - Duties.

1. The onsite wastewater recycling technical committee consists of:
 - a. Three representatives of a local public health unit appointed by the governor from a list of names forwarded by local public health units; and
 - b. Four individuals who must be installers appointed by the governor. The governor shall appoint the individuals from a list of names forwarded by a professional onsite wastewater recycling association. For purposes of this section, an installer means an individual licensed by a local public health unit to install onsite wastewater sewage treatment systems.
2. The director of the department of environmental quality or the director's designee shall provide input at the request of the committee.
3. The terms of the committee members are for four years, and members may be reappointed.
4. The committee shall:
 - a. Meet at the call of a majority of the members.
 - b. Create a statewide technical guide for onsite wastewater recycling treatment technologies and sewage distribution technologies.
 - c. Recommend standards and procedures for issuing an installer license.
 - d. Recommend continuing education requirements for installer license renewal.
 - e. Recommend reasonable fees for issuing or renewing an installer license."

Page 3, line 8, replace "board" with "committee"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1193: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1193 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1209: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1209 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the public employees retirement system defined benefit and defined contribution retirement plans.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - PUBLIC EMPLOYEES RETIREMENT SYSTEM DEFINED BENEFIT AND DEFINED CONTRIBUTION PLANS. During the 2021-22 interim, the legislative management shall develop a plan for new hires under the public employees retirement system main system to participate in the defined benefit plan and to close the defined benefit plan to new entries effective January 1, 2024. Upon approval of the chairman of the legislative management, the study may use the services of a third-party contractor to assist in the study. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1236: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1236 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1245: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1245 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "54-52.1-04.7, 54-52.1-04.8,"

Page 1, line 3, after "plans" insert "for health benefits"

Page 1, line 3, after the first semicolon insert "and"

Page 1, line 3, remove "; and to declare an"

Page 1, line 4, remove "emergency"

Page 1, remove lines 6 through 23

Page 2, replace lines 1 through 27 with:

"SECTION 1. AMENDMENT. Section 54-52.1-04 of the North Dakota Century Code is amended and reenacted as follows:

54-52.1-04. Board to contract for insurance - Budget section approval.

1. The board shall receive bids for the providing of hospital benefits coverage, medical benefits coverage, life insurance benefits coverage for a specified term, and employee assistance program services; may receive bids separately for all or part of the prescription drug benefits coverage component of medical benefits coverage; and except as

otherwise provided under this section shall accept one or more bids of and contract with the carriers the board determines best serve the interests of the state and the state's eligible employees. Solicitations must be made not later than ninety days before the expiration of an existing uniform group insurance contract. Bids must be solicited by advertisement in a manner selected by the board which will provide reasonable notice to prospective bidders. In preparing bid proposals and evaluating bids, the board may utilize the services of consultants on a contract basis in order that the bids received may be uniformly compared and properly evaluated. In determining which bid, if any, will best serve the interests of eligible employees and the state, the board shall give adequate consideration to the following factors:

- a. The economy to be effected.
 - b. The ease of administration.
 - c. The adequacy of the coverages.
 - d. The financial position of the carrier, with special emphasis on the solvency of the carrier.
 - e. The reputation of the carrier and any other information available tending to show past experience with the carrier in matters of claim settlement, underwriting, and services.
 - f. The price and contract guarantees.
2. The board may reject any or all bids received under this section. If the board rejects all bids received, the board shall again solicit bids as provided in this section.
 3. For a bid for hospital benefits coverage, medical benefits coverage, or prescription drug benefits coverage, the board may not accept one or more bids of a contract with the carriers unless the budget section has approved the bids.
 - a. Under this subsection, after the board identifies which bids of carriers, if any, the board determines best serve the interests of the state and the state's eligible employees, the board shall forward a recommendation and all the bids to the budget section. The board may recommend rejection of one or more bids received under this section. Upon receipt of the board's recommendation, the budget section shall determine which bid, if any, will best serve the interests of eligible employees and the state. In identifying and determining which bid, if any, will best serve the interests of eligible employees and the state, the budget section shall give adequate consideration to the following factors:
 - (1) The economy to be affected.
 - (2) The ease of administration.
 - (3) The adequacy of the coverages.
 - (4) The financial position of the carrier, with special emphasis on the solvency of the carrier.
 - (5) The reputation of the carrier and any other information available tending to show past experience with the carrier in matters of claim settlement, underwriting, and services.
 - (6) The price and contract guarantees.

- b. The budget section may reject any or all bids received under this subsection. If the budget section rejects all bids received, the board again shall solicit bids as provided in this section. If the budget section does not reject all bids received, the board shall enter a contract with the bidder selected by the budget section under this section.
- c. In preparing a bid proposal and evaluating a bid under this subsection, the budget section may use the services of a consultant on a contract basis so the bids received may be compared uniformly and evaluated properly.
- 4. Under sections 54-52.1-04.1 and 54-52.1-04.2, following approval by the budget section, the board may contract for health benefits coverage through a health maintenance organization or establish a self-insurance health plan."

Page 3, remove lines 27 through 31

Page 4, remove lines 1 through 12

Page 4, line 16, remove "approved by the"

Page 4, line 17, remove "budget section, must be"

Page 5, line 1, after "under" insert "subsection 3 of"

Page 5, line 12, remove "The board may not enter a contract for"

Page 5, remove lines 13 and 14

Page 5, line 23, overstrike "The" and insert immediately thereafter "Under this subsection, the"

Page 5, remove line 31

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1247: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1247 was placed on the Sixth order on the calendar.

Page 56, line 4, remove the overstrike over "~~governor~~"

Page 56, line 4, remove "executive director of the department of health and human services"

Page 56, line 5, remove "a physician licensed in this state as"

Page 56, line 5, overstrike "the state health officer"

Page 56, line 7, after "people" insert "the state health officer who at the time of appointment must be a physician with substantive private or public administrative experience and public health experience"

Page 56, line 8, overstrike "person's" and insert immediately thereafter "individual's"

Page 56, line 8, remove the overstrike over "~~governor~~"

Page 56, line 8, remove "executive director of the department of"

Page 56, line 9, remove "health and human services"

Page 56, line 11, remove the overstrike over "~~The state health~~"

Page 56, remove the overstrike over line 12

Page 56, line 13, remove the overstrike over "~~duties of the state health officer and holds office for a term of four years~~"

Page 56, line 15, after the second "state" insert ". If the office of the state health officer is filled temporarily"

Page 56, line 15, remove the overstrike over "; the"

Page 56, remove the overstrike over lines 16 through 20

Page 56, line 21, remove the overstrike over "of the governor:"

Page 242, line 1, overstrike "**July 1,**"

Page 242, overstrike lines 2 through 30

Page 243, overstrike lines 1 through 17

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1261: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1261 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1276: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1276 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 repeal section 54-10-20 of the North Dakota Century Code, relating to a special state auditor.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. REPEAL. Section 54-10-20 of the North Dakota Century Code is repealed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1339: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1339 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the definitions of "dangerous weapon" and "public gathering".

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY. During the 2021-23 interim, the legislative management shall consider studying the definitions of "dangerous weapon" and "public gathering". The study must consider which weapons should be considered dangerous weapons. The study also must consider whether a "public gathering" includes athletic or sporting events, school buildings, or churches. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1340: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1340 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "land" with "property"

Page 1, line 6, replace "land" with "property for search and seizure"

Page 1, line 10, replace "land" with "property for search and seizure"

Page 1, line 11, replace "landowner" with "owner"

Page 1, line 11, replace "land" with "property"

Page 1, line 12, replace "land" with "property"

Page 1, line 15, remove "or"

Page 1, line 16, after "safety" insert: "; or

d. Fulfilling a lawful exercise of duties"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1344: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1344 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "; and to provide for application"

Page 1, line 7, remove "**Application -**"

Page 2, line 20, remove "This subsection does not"

Page 2, remove lines 21 through 27

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1349: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1349 was placed on the Sixth order on the calendar.

Page 2, line 26, replace "and may be withheld until" with ". Once"

Page 2, line 27, remove "at which time"

Page 2, line 27, after "the" insert "applications and related"

Page 2, line 27, after "records" insert "of the finalists"

Page 4, line 3, replace "Active" with "Unless subject to subsection 6 of section 44-04-18, active"

Page 5, line 18, after the second "record" insert "unless the investigation is closed and not referred for further investigation or adjudication"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1378: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1378 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1410: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1410 was placed on the Sixth order on the calendar.

Page 2, line 12, after "any" insert "comparable"

Page 2, line 12, remove "of reasonably"

Page 2, line 13, remove "comparable risk."

Page 2, line 13, remove "through clear and"

Page 2, remove line 14

Page 2, line 15, replace "extraordinary health risk" with "the disparate treatment is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 2, line 18, remove "through clear and convincing scientific evidence that the provision"

Page 2, remove line 19

Page 2, line 20, replace "access is the least restrictive means of addressing the extraordinary health risk" with "the denial is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 2, line 22, after "assert" insert ", after exhausting appropriate administrative remedies."

Page 3, line 9, after "any" insert "comparable"

Page 3, line 9, remove "of reasonably"

Page 3, line 10, remove "comparable risk."

Page 3, line 10, remove "through clear and convincing"

Page 3, remove line 11

Page 3, line 12, replace "health risk" with "the disparate treatment is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 3, line 14, remove "through clear and"

Page 3, remove lines 15 and 16

Page 3, line 17, replace "addressing the extraordinary health risk" with "the denial is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 4, line 8, remove "scientific"

Page 4, line 12, after "assert" insert ", after exhausting appropriate administrative remedies."

Page 4, line 24, after "any" insert "comparable"

Page 4, line 24, remove "of reasonably"

Page 4, line 25, remove "comparable risk."

Page 4, line 25, remove "through clear and"

Page 4, remove line 26

Page 4, line 27, replace "extraordinary health risk" with "the disparate treatment is necessary to further a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest"

Page 4, line 29, remove "through clear and convincing"

Page 4, remove line 30

Page 5, remove line 1

Page 5, line 2, replace "addressing the extraordinary health risk" with "the denial is necessary to further a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest"

Page 5, line 4, after "assert" insert ", after exhausting appropriate administrative remedies."

Page 7, line 29, remove "scientific"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1431: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). HB 1431 was placed on the Sixth order on the calendar.

Page 7, line 20, replace "\$798,500,000" with "\$680,000,000"

Page 7, line 28, replace "\$798,500,000" with "\$680,000,000"

Page 8, line 4, after the semicolon insert "and"

Page 8, line 7, remove the semicolon

Page 8, remove lines 8 through 25

Page 8, line 26, remove "compartmental information facility, and other expenses"

Page 9, remove lines 20 through 30

Page 10, remove lines 1 through 11

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes bonding authority for career and technical education projects, the North Dakota University System capital building fund, the Dickinson State University Pulver Hall project, and the University of North Dakota space command initiative.

REPORT OF STANDING COMMITTEE

HB 1459: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1459 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1480: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1480 was placed on the Sixth order on the

calendar.

Page 1, line 2, after "requirements" insert "and property exempt from seizure and forfeiture."

Page 1, line 17, after the "b." insert "Location of the seizure, including whether the location was a residence or business or occurred during a traffic stop.

c. The crime with which the suspect was charged.

d. The disposition of the suspect's criminal case.

e."

Page 1, line 17, overstrike "if any" and insert immediately thereafter "or whether there was a default in the litigation of the seized property"

Page 1, line 18, overstrike "c." and insert immediately thereafter "f."

Page 1, line 19, overstrike "d." and insert immediately thereafter "g."

Page 1, line 20, overstrike "e." and insert immediately thereafter "h."

Page 1, line 21, overstrike "f." and insert immediately thereafter "i."

Page 1, line 22, overstrike "g." and insert immediately thereafter "j."

Page 1, line 24, overstrike "h." and insert immediately thereafter "k."

Page 2, after line 12, insert:

"c. The report must include the case reports provided by the law enforcement agencies."

Page 2, line 26, replace "reporting process" with "written report submitted by the attorney general"

Page 2, after line 26, insert:

"11. A state's attorney may establish a minimum value amount for seizures in the interests of justice and efficient use of governmental resources in the state's attorney's jurisdiction. The minimum value amount may be based on the state's attorney's determination of the:

a. Type and number of occurrences of offenses that include the seizure of property; and

b. Average value of seized property less the costs to seize and forfeit the property."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1483: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1483 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 create and enact a new section to chapter 11-11 of the North Dakota Century Code, relating to lease purchase.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 11-11 of the North Dakota Century Code is created and enacted as follows:

Lease purchase - Building authority.

Unless a lease purchase or building authority agreement is approved by a vote of the majority of the qualified electors of a county during a general election, the governing body of a county may not enter a lease purchase or building authority agreement for the acquisition of any property or construction of any structure having a cost of more than three million dollars."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1498: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1498 was placed on the Sixth order on the calendar.

Page 2, line 25, after "activity" insert "that gives rise to the need for the use of deadly force"

Page 2, line 26, after "used" insert ", unless the circumstances in subdivision b of subsection 2 of section 12.1-05-03 apply."

Page 3, line 2, replace "authorized" with "legally allowed"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3016: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HCR 3016 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "replaces the state treasurer with" with "adds"

Page 1, line 4, replace "on" with "and one member of the legislative assembly to"

Page 1, line 15, overstrike "and"

Page 1, line 15, remove the overstrike over "~~state treasurer~~" and insert immediately thereafter an underscored comma

Page 1, line 15, after "commissioner" insert ", and one member of the legislative assembly appointed by the chairman of the legislative management, who may not be the same member of the legislative assembly who serves on the state investment board."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3035: Education Committee (Rep. Owens, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3035 was placed on the Tenth order on the calendar.

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

Buell J. Reich, Chief Clerk