

## JOURNAL OF THE SENATE

## Sixty-seventh Legislative Assembly

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Bismarck, March 30, 2021

The Senate convened at 1:00 p.m., with President Sanford presiding.

The prayer was offered by Bishop Craig Schweitzer, Western North Dakota Synod-ELCA, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

## CONSIDERATION OF AMENDMENTS

**HB 1457, as engrossed: SEN. BURCKHARD (Political Subdivisions Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed on a voice vote.

## SECOND READING OF HOUSE BILL

**HB 1457:** A BILL for an Act to amend and reenact section 37-17.1-10 of the North Dakota Century Code, relating to local disasters or emergencies.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 5 YEAS, 42 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Elkin; Heitkamp; Holmberg; Larsen, D.; Larsen, O.

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Erbele; Fors; Heckaman; Hogan; Hogue; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed HB 1457, as amended, failed.

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## CONSIDERATION OF AMENDMENTS

**HB 1010, as engrossed: SEN. OEHLKE (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

## SECOND READING OF HOUSE BILL

**HB 1010:** A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to examinations of health carriers; to amend and reenact sections 18-04-04, 18-04-04.1, 18-04-05, and 26.1-01-09 and subsection 1 of section 26.1-03-17 of the North Dakota Century Code, relating to the distribution of funds from the insurance tax distribution fund and the salary of the insurance commissioner; to provide a continuing appropriation; to provide for a legislative management study; and to provide for a report.

## 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever;

Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed HB 1010, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1207, as engrossed: SEN. KLEIN (Industry, Business and Labor Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1207:** A BILL for an Act to create and enact chapter 32-46.2 of the North Dakota Century Code, relating to civil actions involving asbestos; to amend and reenact subsection 2 of section 28-01.3-04 of the North Dakota Century Code, relating to liability of nonmanufacturing sellers; 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 41 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Meyer; Myrdal; Oehlke; Patten; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Bakke; Hogan; Marcellais; Mathern; Oban; Piepkorn

Engrossed HB 1207, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1394, as engrossed: SEN. BEKKEDAH (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1394:** A BILL for an Act to provide an appropriation for costs related to COVID-19 and other services; to provide an exemption; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed HB 1394, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**HB 1025, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED** that

the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF HOUSE BILL**

**HB 1025:** A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; to provide for payment of court-ordered judgments; to provide for a transfer; to provide a statement of legislative intent; and to declare an emergency.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Larsen, O.

Engrossed HB 1025, as amended, passed and the emergency clause was declared carried.

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#### **SECOND READING OF HOUSE BILL**

**HB 1072:** A BILL for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to electronic motor vehicle operator's licenses; and to amend and reenact section 39-06-16 of the North Dakota Century Code, relating to carrying an operator's license and exhibiting the license on demand.

#### **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 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Heitkamp; Larsen, O.

Reengrossed HB 1072, as amended, passed.

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#### **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 bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Clemens; Dever; Dwyer; Erbele; Heitkamp; Hogue; Kannianen; Larsen, D.; Larsen, O.; Lemm; Myrdal; Wanzek

**NAYS:** Bakke; Bekkedahl; Bell; Burckhard; Conley; Davison; Elkin; Fors; Heckaman; Hogan; Holmberg; Klein; Krebsbach; Kreun; Larson, D.; Lee; Luick; Marcellais;

Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wardner; Weber; Wobbema

Engrossed HB 1173 failed.

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### SECOND READING OF HOUSE BILL

**HB 1030:** A BILL for an Act to provide an appropriation to the office of management and budget for accessibility improvements on the state capitol grounds; 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 NOT PASS, the roll was called and there were 1 YEAS, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Mathern

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

HB 1030 failed.

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### SECOND READING OF HOUSE BILL

**HB 1335:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to reservation of powers not granted to the federal government.

### 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 29 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Burckhard; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Fors; Heitkamp; Hogue; Kannianen; Klein; Larsen, D.; Larsen, O.; Lemm; Luick; Meyer; Myrdal; Patten; Roers, J.; Rust; Schaible; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Bakke; Bell; Davison; Heckaman; Hogan; Holmberg; Krebsbach; Kreun; Larson, D.; Lee; Marcellais; Mathern; Oban; Oehlke; Piepkorn; Poolman; Roers, K.; Sorvaag

HB 1335 passed.

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### SECOND READING OF HOUSE BILL

**HB 1373:** A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 16.1-07-15 of the North Dakota Century Code, relating to early voting dates.

### 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 10 YEAS, 37 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Clemens; Conley; Kannianen; Klein; Larsen, D.; Larsen, O.; Lemm; Myrdal; Vedaa; Wanzek

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Davison; Dever; Dwyer; Elkin; Erbele;

Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Krebsbach; Kreun; Larson, D.; Lee; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Wardner; Weber; Wobbema

Engrossed HB 1373 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1449:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a county aid distribution fund; to provide a continuing appropriation; to provide for application; and to provide an expiration date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Larsen, D.; Larsen, O.; Myrdal

Engrossed HB 1449 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1166:** A BILL for an Act to create and enact sections 43-51-12.1 and 43-51-12.2 of the North Dakota Century Code, relating to occupational licensing of foreign practitioners who are residents of the state; to amend and reenact subsection 3 of section 15.1-13-17 and sections 15.1-13-17.1 and 15.1-18-12 of the North Dakota Century Code, relating to occupational licensing of teachers; and to provide for a report to the legislative management.

#### 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 2 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Burckhard; Larsen, O.

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed HB 1166 failed.

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#### SECOND READING OF HOUSE BILL

**HB 1447:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to higher education student voting documents; and to amend and reenact section 16.1-01-04.1 of the North Dakota Century Code, relating to acceptable forms of identification for purposes of voting.

#### 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 47 YEAS, 0 NAYS, 0

EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed HB 1447 passed.

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#### MOTION

**SEN. KLEIN MOVED** that HCR 3012 be placed at the top of the Fourteenth order, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3012:** A concurrent resolution to amend and reenact section 25 of article XI of the Constitution of North Dakota, relating to authorizing internet live poker.

#### ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 0 YEAS, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

HCR 3012 was declared lost on a recorded roll call vote.

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#### SECOND READING OF HOUSE BILL

**HB 1389:** A BILL for an Act to create and enact a new chapter to title 53 of the North Dakota Century Code, relating to the licensing and regulating of live poker; to amend and reenact subsection 1 of section 12.1-28-01 of the North Dakota Century Code, relating to the definition of gambling; and to provide a contingent 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 0 YEAS, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wardner; Weber; Wobbema

**ABSENT AND NOT VOTING:** Wanzek

Engrossed HB 1389 failed.

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#### REQUEST

**SEN. WANZEK REQUESTED** that the record reflect he intended to vote NAY on HB 1389, which request was granted.

**SECOND READING OF HOUSE BILL**

**HB 1416:** A BILL for an Act to create and enact a new subsection to section 50-06-05.1 and sections 50-11.1-21, 50-11.1-22, 50-11.1-23, and 50-11.1-24 of the North Dakota Century Code, relating to the four-year old program approval and the North Dakota early childhood council; to amend and reenact sections 15.1-09-58 and 15.1-37-05, subdivision d of subsection 6 of section 50-11.1-02, subsection 2 of section 50-11.1-07, and section 50-11.1-10 of the North Dakota Century Code, relating to four-year old program approval; and to repeal sections 15.1-37-01, 15.1-37-02, 15.1-37-03, 15.1-37-04, and 15.1-37-07 of the North Dakota Century Code, relating to early childhood education programs.

**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 34 YEAS, 13 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Davison; Dever; Fors; Heckaman; Hogan; Hogue; Holmberg; Klein; Krebsbach; Kreun; Larson, D.; Lee; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Wanzek; Wardner; Weber

**NAYS:** Conley; Dwyer; Elkin; Erbele; Heitkamp; Kannianen; Larsen, D.; Larsen, O.; Lemm; Luick; Myrdal; Vedaa; Wobbema

Engrossed HB 1416 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1325:** A BILL for an Act to provide for a legislative management study of the adequacy of property tax relief for retired individuals.

**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, 40 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Clemens; Conley; Larsen, D.; Larsen, O.; Lemm; Myrdal; Weber

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Wobbema

Engrossed HB 1325 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1277:** A BILL for an Act to amend and reenact subsection 35 of section 57-02-08 of the North Dakota Century Code, relating to a residential property tax exemption for new construction; 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 1 YEAS, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Wobbema

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn;

Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber

Engrossed HB 1277 failed.

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### SECOND READING OF HOUSE BILL

**HB 1167:** A BILL for an Act to provide for a legislative management study of property tax equity and the creation of a central taxing authority.

### 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 2 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Larsen, D.; Larsen, O.

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

HB 1167 failed.

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### SECOND READING OF HOUSE BILL

**HB 1407:** A BILL for an Act to amend and reenact section 50-24.1-40 of the North Dakota Century Code, relating to medical assistance tribal health care coordination agreements; to repeal section 50-24.1-40 of the North Dakota Century Code, relating to medical assistance tribal health care coordination agreements; to provide for legislative management and legislative council reports; to provide a continuing appropriation; and to provide a contingent effective date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Heitkamp; Larsen, D.; Larsen, O.

Engrossed HB 1407, as amended, passed.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3043:** A concurrent resolution directing the Legislative Management to consider studying the amount, type, cost, and occupancy of property leased by the state or any state agency since January 1, 2018.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3043 was declared adopted on a voice vote.



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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3047:** A concurrent resolution urging Congress not to adopt H.R. 1 of the 117th Congress.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3047 was declared adopted on a voice vote.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3004:** A concurrent resolution urging the Department of Transportation to use dynamic message signs solely for weather-related, road condition, emergency, work zone, and missing persons messages.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3004 was declared lost on a verification vote.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1425.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1008, HB 1117, HB 1209, HB 1276, HB 1298, HB 1349, HB 1353, HB 1483.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3048.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2034, SB 2142, SB 2162, SB 2206, SB 2344.

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

**MR. PRESIDENT:** The House has passed, unchanged: SCR 4011, SCR 4013.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2041, SB 2078, SB 2164, SB 2247, SB 2273, SB 2276, SB 2338.

**AMENDMENTS TO SENATE BILL NO. 2041**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to income eligibility for purposes of the farm residence property tax exemption; to provide for a legislative management study; and to provide an effective date.

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

**SECTION 1. AMENDMENT.** Subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code is amended and reenacted as follows:

- b. It is the intent of the legislative assembly that this exemption as applied to a residence must be strictly construed and interpreted to exempt only a residence that is situated on a farm and which is occupied or used by a person who is a farmer and that the

exemption may not be applied to property which is occupied or used by a person who is not a farmer. For purposes of this subdivision:

- (1) "Farm" means a single tract or contiguous tracts of agricultural land containing a minimum of ten acres [4.05 hectares] and for which the farmer, actually farming the land or engaged in the raising of livestock or other similar operations normally associated with farming and ranching, has annual gross income from farming activities which is sixty-six percent or more of annual gross income, including gross income of a spouse if married, during any of the two preceding calendar years.
- (2) "Farmer" means an individual who normally devotes the major portion of time to the activities of producing products of the soil, with the exception of marijuana grown under chapter 19-24.1; poultry; livestock; or dairy farming in such products' unmanufactured state and has received annual gross income from farming activities which is sixty-six percent or more of annual gross income, including gross income of a spouse if married, during any of the two preceding calendar years. For purposes of this paragraph, "farmer" includes a:
  - (a) "Beginning farmer", which means an individual who has begun occupancy and operation of a farm within the two preceding calendar years; who normally devotes the major portion of time to the activities of producing products of the soil, poultry, livestock, or dairy farming in such products' unmanufactured state; and who does not have a history of farm income from farm operation for each of the two preceding calendar years.
  - (b) "Retired farmer", which means an individual who is retired because of illness or age and who at the time of retirement owned and occupied as a farmer the residence in which the person lives and for which the exemption is claimed.
  - (c) "Surviving spouse of a farmer", which means the surviving spouse of an individual who is deceased, who at the time of death owned and occupied as a farmer the residence in which the surviving spouse lives and for which the exemption is claimed. The exemption under this subparagraph expires at the end of the fifth taxable year after the taxable year of death of an individual who at the time of death was an active farmer. The exemption under this subparagraph applies for as long as the residence is continuously occupied by the surviving spouse of an individual who at the time of death was a retired farmer.
- (3) "Gross income" means gross income as defined under the federal Internal Revenue Code and does not include a gain from the sale or exchange of farm machinery as computed for federal income tax purposes. For purposes of this paragraph, "farm machinery" means all vehicular implements and attachment units designed and sold for direct use in planting, cultivating, or harvesting farm products or used in connection with the production of agricultural produce or products, livestock, or poultry on farms, which are operated, drawn, or propelled by motor or animal power. "Farm machinery" does not include vehicular implements operated wholly by hand or a motor vehicle that is required to be registered under chapter 57-40.3.

- (4) "Gross income from farming activities" means gross income from farming as defined for purposes of determining if an individual is a farmer eligible to use the special estimated income tax payment rules for farmers under section 6654 of the federal Internal Revenue Code [26 U.S.C. 6654].
- (5) When exemption is claimed under this subdivision for a residence, the occupant of the residence who it is claimed is a farmer shall provide to the assessor for the year or years specified by the assessor a written statement in which it is stated that sixty-six percent or more of the gross income of that occupant, and spouse if married and both spouses occupy the residence, was, or was not, gross income from farming activities. The individual claiming the exemption also shall provide to the assessor, on a form prescribed by the tax commissioner, the necessary income information to demonstrate eligibility. Any income information provided to the assessor regarding eligibility for an exemption claimed under this subdivision is a confidential record.
- (6) For purposes of this ~~section~~ subsection, "livestock" includes "nontraditional livestock" as defined in section 36-01-00.1.
- (7) A farmer operating a bed and breakfast facility in the farm residence occupied by that farmer is entitled to the exemption under this section for that residence if the farmer and the residence would qualify for exemption under this section except for the use of the residence as a bed and breakfast facility.

**SECTION 2. LEGISLATIVE MANAGEMENT STUDY - PROPERTY TAX EXEMPTION FOR AGRICULTURAL PRODUCTS STORAGE.** During the 2021-22 interim, the legislative management shall consider studying the provision of a property tax exemption for elevators, warehouses, and other farm structures classified as commercial property, which are privately owned and used to store agricultural products produced by the owner or an individual related to the owner as defined in section 10-06.1-12. The study must include consideration of the definition of agricultural property and the impact of an exemption on city and county property tax revenues. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

**SECTION 3. EFFECTIVE DATE.** Section 1 of this Act is effective for taxable years beginning after December 31, 2021."

Renumber accordingly

#### **AMENDMENTS TO SENATE BILL NO. 2078**

Page 1, line 1, remove "a new subdivision to subsection 1 of section 26.1-01-07"

Page 1, line 2, remove "and"

Page 1, line 4, remove "section 26.1-02.1-02.1,"

Page 1, line 5, replace the first "section" with "sections"

Page 1, line 5, remove ", subsection 5 of section 26.1-26-42"

Page 1, line 5, remove the third "sections"

Page 1, line 7, after "producers" insert "; and to provide for a legislative management study"

Page 1, remove lines 9 through 14

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 27

Page 3, remove lines 10 through 18

Page 4, after line 26, insert:

**"SECTION 8. LEGISLATIVE MANAGEMENT STUDY - WRITTEN CONSENT FOR CERTAIN INSURANCE PRODUCERS.** During the 2021-22 interim, the legislative management shall consider studying the process for obtaining written consent under the provisions of the Violent Crime Control and Law Enforcement Act of 1994 codified at 18 U.S.C. Section 1033 [Pub. L. 103-322] for individuals otherwise excluded from licensure as insurance producers. 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

#### **AMENDMENTS TO ENGROSSED SENATE BILL NO. 2164**

Page 1, line 12, overstrike "for a period of time not to exceed sixty consecutive days in a calendar year and"

Page 1, line 13, overstrike "are provided"

Renumber accordingly

#### **AMENDMENTS TO SENATE BILL NO. 2247**

Page 1, line 7, replace "subsection" with "subsections"

Page 1, line 7, after "6" insert "and 7"

Page 1, line 8, remove the overstrike over the overstruck colon

Page 1, remove the overstrike over lines 9 through 11

Page 1, line 12, remove the overstrike over "~~b. The~~"

Page 1, line 12, remove "the"

Page 1, line 15, replace "by the prospective buyer in the" with "in an offer to"

Page 1, line 16, replace "a" with "the"

Page 1, line 16, after "final" insert "acceptance of the purchase"

Page 2, line 13, after "6." insert "An owner of real property shall disclose, in writing, all material facts that are known or should be known to the seller but would not be discoverable through another individual's exercise of ordinary care, to the purchaser of the real property before the purchase is final."

7."

Renumber accordingly

#### **AMENDMENTS TO SENATE BILL NO. 2273**

Page 1, line 15, after "by" insert ", and compliance with recommendations from."

Renumber accordingly

**AMENDMENTS TO ENGROSSED SENATE BILL NO. 2276**

Page 1, line 10, after the first underscored comma insert "supreme court justice."

Page 2, line 13, replace "An" with "A home"

Page 2, line 14, replace "an exempt record" with "confidential only if an individual in subsection 1 or the individual's employer submits a written request to the custodian of the records. The request will remain confidential for the remainder of a calendar year and must be renewed annually"

Page 2, remove lines 15 through 18

Renumber accordingly

**AMENDMENTS TO SENATE BILL NO. 2338**

Page 1, line 19, remove the overstrike over "~~thirty-five~~"

Page 1, line 19, remove "fifty"

Page 1, line 23, remove the overstrike over "~~twenty-five~~"

Page 1, line 23, remove "fifty"

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2045.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass, unchanged: SCR 4005.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1034, HB 1073, HB 1078, HB 1079, HB 1145, and HB 1326.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** Your signature is respectfully requested on: SB 2150, SB 2210, SB 2220, SB 2278, SB 2283, SB 2292.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1087, HB 1131, HB 1339, HB 1379, HCR 3034.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2036, SB 2067, SB 2091, SB 2102, SB 2122, SB 2125, SB 2128, SB 2133, SB 2138, SB 2156, SB 2178, SB 2197, SB 2246, SB 2249, SB 2251, SB 2264, SB 2265, SB 2334.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1087, HB 1131, HB 1339, HB 1379.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HCR 3034.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 30, 2021: SB 2036, SB 2067, SB 2091, SB 2102, SB 2122, SB 2125, SB 2128, SB 2133, SB 2138, SB 2156, SB 2178, SB 2197, SB 2246, SB 2249, SB 2251, SB 2264, SB 2265, SB 2334.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 29, 2021, I have signed the following: SB 2033, SB 2072, SB 2073, SB 2083, SB 2086, SB 2092, SB 2095, SB 2096, SB 2126, SB 2141, SB 2148, SB 2154, SB 2174, SB 2181, SB 2182, SB 2204, SB 2226, and SB 2240.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, March 31, 2021, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1001, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1001 was placed on the Sixth order on the calendar.

Page 1, replace lines 13 and 14 with:

"Salaries and wages	\$3,623,946	\$87,088	\$3,711,034
Operating expenses	368,440	53,195	421,635"

Page 1, replace lines 17 and 18 with:

"Governor's salary	274,112	10,363	284,475
Total general fund	\$4,287,298	\$150,646	\$4,437,944"

Page 2, line 16, replace "forty-two" with "forty-three"

Page 2, line 16, replace "nine" with "six"

Page 2, line 16, replace "forty-one" with "forty-six"

Page 2, line 22, replace "one" with "seven"

Page 2, line 22, replace "seventy-nine" with "twenty-seven"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1001 - Governor's Office - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$3,623,946	\$3,707,055	\$3,979	\$3,711,034
Operating expenses	368,440	271,635	150,000	421,635
Contingencies	10,000	10,000		10,000
Rough Rider Awards	10,800	10,800		10,800
Governor's salary	274,112	281,636	2,839	284,475
Total all funds	\$4,287,298	\$4,281,126	\$156,818	\$4,437,944
Less estimated income	0	0	0	0
General fund	\$4,287,298	\$4,281,126	\$156,818	\$4,437,944
FTE	18.00	18.00	0.00	18.00

**Department 101 - Governor's Office - Detail of Senate Changes**

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Restores Funding for Operating Expenses <sup>2</sup>	Adds Funding for Event Travel Costs <sup>3</sup>	Total Senate Changes
Salaries and wages	\$3,979			\$3,979
Operating expenses		\$100,000	\$50,000	150,000
Contingencies				
Rough Rider Awards				
Governor's salary	2,839			2,839
Total all funds	\$6,818	\$100,000	\$50,000	\$156,818
Less estimated income	0	0	0	0
General fund	\$6,818	\$100,000	\$50,000	\$156,818
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted to provide salary adjustments of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The House provided 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.

<sup>2</sup> Funding for operating expenses removed by the House is restored.

<sup>3</sup> Funding is added for travel expenses associated with State of the State and Rough Rider Award ceremonies.

This amendment also makes the statutory changes necessary to provide the Governor and Lieutenant Governor with salary increases of 1.5 percent effective July 1, 2021, and 2 percent effective July 1, 2022. The House had provided 1.5 percent annual increases.

#### REPORT OF STANDING COMMITTEE

**HB 1093: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1093 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1107: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1107 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1137: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1137 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1162, as engrossed: Finance and Taxation Committee (Sen. Bell, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1162 was placed on the Sixth order on the calendar.

Page 1, line 20, after "card" insert "or a credit card"

Page 1, line 21, after the underscored period insert "If a licensed organization accepts electronic payment for the purchase of a raffle ticket, the organization shall verify the ticket purchaser is at least eighteen years of age and physically is located in the state."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1168, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1168 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1181, as reengrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1181 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on page 1031 of the Senate Journal, Reengrossed House Bill No. 1181 is amended as follows:

Page 2, line 3, replace "The clerk of the district court shall maintain any" with "Any"

Page 2, line 4, remove "separately from the record"

Page 2, line 5, replace "relating to the offense. The records" with "must be kept confidential and"

Page 3, line 13, after "professional" insert ". whether for a retrospective evaluation of fitness or an evaluation of the defendant's current fitness."

Page 3, line 21, after the second "obtained" insert ", and the defendant's responses to questions related to the defendant's fitness to proceed, except for any restricted, proprietary, copyrighted, or other information subject to trade secret protection"

Page 4, line 21, replace "one year" with "one hundred eighty days. The court may extend the suspension for an additional three hundred sixty-five days if there is medical evidence to believe the defendant's fitness to proceed will be restored during the extended period"

Page 5, line 26, replace "clear and convincing" with "a preponderance of the"

Page 6, line 11, after "or" insert "director's designee or the"

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1187, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1187 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1195, as engrossed: Finance and Taxation Committee (Sen. Bell, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1195 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1282, as engrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1282 was placed on the Sixth order on the calendar.

Page 1, line 2, after "on" insert "federal"

Page 1, line 2, remove "of federal laws"

Page 1, line 7, after "on" insert "federal"

Page 1, line 7, remove "of federal laws"

Page 1, line 10, replace "law" with "statute"

Page 1, line 11, remove "The membership for the committee on nullification of federal laws is comprised of."

Page 1, remove lines 12 through 18

Page 1, line 19, replace "party" with "During each biennium, the legislative management shall appoint a committee on federal nullification in the same manner as the legislative management appoints other interim committees. The legislative management shall designate the chairman of the committee. The committee shall operate according to the statutes and procedure governing the operation of other legislative management interim committees"

Page 1, line 20, remove "The president pro tempore of the senate and the speaker of the house shall serve as"

Page 1, remove lines 21 through 23

Page 1, line 24, remove "5."

Page 1, line 24, replace "either co-presiding officer" with "the chairman of the committee"

Page 2, line 1, replace "6." with "4."

Page 2, line 1, after "of" insert "a"



Page 2, line 1, replace "legislation" with "statute"

Page 2, line 1, remove "an"

Page 2, line 3, replace "law" with "statute"

Page 2, line 3, remove "In making its recommendation, the"

Page 2, remove lines 4 through 6

Page 2, line 7, replace "7." with "5."

Page 2, line 7, replace "all" with "any"

Page 2, line 7, replace "statutes" with "statute"

Page 2, line 7, replace "regulations" with "regulation"

Page 2, line 7, replace "and" with "or"

Page 2, line 8, replace "orders" with "order"

Page 2, line 8, remove "for the purpose of determining"

Page 2, line 9, remove "constitutionality"

Page 2, line 11, replace "8." with "6. When making a recommendation, the committee shall consider whether the federal statute, regulation, or executive order is outside the scope of the powers delegated to the federal government by the United States Constitution.

7."

Page 2, line 13, replace "9." with "8."

Page 2, line 13, after "majority" insert "of the members-elect"

Page 2, line 14, remove "based on constitutionality"

Page 2, line 15, remove "recognize or"

Page 2, line 16, replace "law" with "statute, regulation."

Page 2, remove lines 17 through 20

Renumber accordingly

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

**HB 1310, as engrossed: Finance and Taxation Committee (Sen. Bell, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1310 was placed on the Fourteenth order on the calendar.

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

**HB 1386, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1386 was placed on the Fourteenth order on the calendar.

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

**HB 1393, as engrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1393 was placed on the Fourteenth order on the calendar.

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

**HB 1396, as engrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7

YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1396 was placed on the Sixth order on the calendar.

Page 1, line 6, remove " - "

Page 1, line 7, remove "**Award of fees**"

Page 1, remove lines 8 through 10

Page 1, line 11, remove "2."

Page 1, line 11, after "liable" insert "for any physical or emotional injury, physical damage, or death"

Page 1, remove lines 13 through 22

Page 2, remove lines 1 through 3

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1410, as reengrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1410 was placed on the Sixth order on the calendar.

Page 2, line 23, after "and" insert ", if the offender is the prevailing party, may"

Page 3, line 19, after "and" insert ", if the offender is the prevailing party, may"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1436: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1436 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1459: Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1459 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1480, as engrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1480 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3023, as engrossed: Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HCR 3023 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3024, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HCR 3024 was placed on the Fourteenth order on the calendar.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3048:** A concurrent resolution urging the President of the United States and the Department of Homeland Security not to transfer illegal aliens to North Dakota. Was read the first time and referred to the **Agriculture Committee**.

The Senate stood adjourned pursuant to Senator Klein's motion.

**Shanda Morgan, Secretary**

