

JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, January 30, 2023

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

The prayer was offered by Sister Kathleen Atkinson, Ministry on the Margins, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to HB 1120, HB 1172, HB 1280, HB 1313, HB 1316, HB 1326, HB 1346, and HB 1360.

HB 1120, HB 1172, HB 1280, HB 1313, HB 1316, HB 1326, HB 1346, and HB 1360, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural **Committee on Employment (Rep. Bosch, Chairman)** recommends the following House employees for the Sixty-eighth Legislative Assembly.

2023 HOUSE EMPLOYEES

Jody L. Kuntz	<u>Administrative Assistant to the Minority Leader</u>	Dickinson
Danielle Walz	<u>Staff Assistant to the Minority Leader</u>	Bismarck
Leah Kuball	<u>Procedural Committee Clerks</u>	Bismarck
Amy Liepke		Bismarck
Mary Monson	<u>Page/Legislative Assistant</u>	Osnabrock

REP. BOSCH MOVED that the report be adopted, which motion prevailed on a voice vote.

POINT OF PERSONAL PRIVILEGE

REP. BELLEW rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE BELLEW

MR. SPEAKER: Mr. Speaker, last Friday I spoke on the 50th anniversary of the end of the Viet Nam War. I inadvertently omitted the name of Rep. Kasper as a Viet Nam era Veteran. Thank you, Rep. Kasper, for your service.

REQUEST

REP. BOSCH REQUESTED that the remarks of Rep. Bellew be printed in the Journal, which request was granted.

MOTION

REP. BOSCH MOVED that HB 1535 be returned to the House floor from the **Industry, Business and Labor Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. BOSCHEE REQUESTED the unanimous consent of the House to withdraw HB 1535. There being no objection, it was so ordered by the Speaker.

MOTION

REP. BOSCH MOVED that HB 1133, which is on the Eleventh order, be rereferred to the

Energy and Natural Resources Committee, which motion prevailed. Pursuant to Rep. Bosch's motion, HB 1133 was rereferred.

SECOND READING OF HOUSE BILL

HB 1256: A BILL for an Act to create and enact a new section to chapter 12.1-11 of the North Dakota Century Code, relating to false allegations of sexual harassment or discrimination; and to provide a penalty.

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 53 YEAS, 41 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, K.; Bahl; Bellew; Beltz; Brandenburg; Christensen; Christy; Cory; Dockter; Dyk; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Headland; Heilman; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Longmuir; Marschall; Martinson; Murphy; Nathe; Nelson; Olson, S.; Ostlie; Prichard; Richter; Rios; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Timmons; Tveit; Wagner

NAYS: Anderson, D.; Bosch; Boschee; Conmy; Dakane; Davis; Dobervich; Fegley; Finley-DeVillie; Hager; Hanson; Hauck; Heinert; Henderson; Ista; Lefor; Louser; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Novak; O'Brien; Olson, J.; Porter; Pyle; Roers Jones; Rohr; Schauer; Schneider; Steiner; Thomas; Toman; VanWinkle; Vetter; Vigesaa; Warrey; Weisz; Speaker Johnson, D.

Engrossed HB 1256 passed.

SECOND READING OF HOUSE BILL

HB 1144: A BILL for an Act to create and enact a new section to chapter 15.1-19 and section 50-11.1-02.4 of the North Dakota Century Code, relating to required training for mandated reporters of child abuse and neglect.

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 78 YEAS, 16 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVillie; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Christensen; Dyk; Fisher; Hauck; Heilman; Henderson; Hoverson; Koppelman; Louser; Marschall; Olson, S.; Prichard; Schatz; Schobinger; Timmons; VanWinkle

Engrossed HB 1144 passed.

SECOND READING OF HOUSE BILL

HB 1232: A BILL for an Act to provide an appropriation to the department of career and technical education for career exploration software; 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 92 YEAS, 2

NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Tveit; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Toman; VanWinkle

Engrossed HB 1232 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1265: A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to growth and development and human sexuality curriculum.

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 60 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, K.; Bahl; Bellew; Brandenburg; Christensen; Cory; Dockter; Dyk; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Marschall; McLeod; Meier; Monson; Motschenbacher; Nathe; Nelson; Novak; Olson, S.; Porter; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schobinger; Steiner; Stemen; Strinden; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Wagner; Weisz

NAYS: Anderson, B.; Beltz; Bosch; Boschee; Christy; Conmy; Dakane; Davis; Dobervich; Fegley; Finley-DeVile; Hager; Hanson; Hauck; Ista; Jonas; Longmuir; Louser; Martinson; Mitskog; Mock; Murphy; O'Brien; Olson, J.; Ostlie; Pyle; Richter; Roers Jones; Sanford; Schneider; Schreiber-Beck; Swiontek; Warrey; Speaker Johnson, D.

Engrossed HB 1265 passed.

SECOND READING OF HOUSE BILL

HB 1320: A BILL for an Act to amend and reenact section 16.1-15-13 of the North Dakota Century Code, relating to ballot retention requirements.

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 28 YEAS, 66 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bellew; Christensen; Dyk; Fisher; Hauck; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Koppelman; Kreidt; Louser; Marschall; McLeod; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Schatz; Steiner; Timmons; Toman; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVile; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Ista; Jonas; Karls;

Kempenich; Kiefert; Klemin; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

HB 1320 failed.

SECOND READING OF HOUSE BILL

HB 1424: A BILL for an Act to amend and reenact subsection 1 of section 16.1-08.1-03.2, subsection 1 of section 16.1-11-06, section 16.1-11-09, subsection 1 of section 16.1-11-11, and subsection 1 of section 16.1-11-16 of the North Dakota Century Code, relating to a candidate's contact information and the form of a nominating petition and a certificate of endorsement.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 11 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Speaker Johnson, D.

NAYS: Bellew; Dockter; Dyk; Headland; Heilman; Hoverson; Rohr; Schatz; Thomas; Timmons; Weisz

HB 1424 passed.

SECOND READING OF HOUSE BILL

HB 1292: A BILL for an Act to amend and reenact section 6-09-49 of the North Dakota Century Code, relating to capital construction projects.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

HB 1292 passed.

SECOND READING OF HOUSE BILL

HB 1314: A BILL for an Act to amend and reenact sections 16.1-07-05, 16.1-07-09, and 16.1-11.1-04, relating to the prohibition of drop boxes as lawful places of deposit for absent voters' ballots and mail ballots.

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 33 YEAS, 61 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Christensen; Dyk; Fisher; Frellich; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Koppelman; Louser; Marschall; McLeod; Meier; Monson; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVile; Grueneich; Hager; Hagert; Hanson; Hatlestad; Heinert; Ista; Jonas; Karls; Kempenich; Kiefert; Klemm; Kreidt; Lefor; Longmuir; Martinson; Mitskog; Mock; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

HB 1314 failed.

SECOND READING OF HOUSE BILL

HB 1405: A BILL for an Act to amend and reenact sections 16.1-02-13, 16.1-04-02, 16.1-06-21, and 16.1-07-09 of the North Dakota Century Code, relating to vote centers, pollbooks, and absentee votes.

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 17 YEAS, 77 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bellew; Christensen; Dyk; Fisher; Heilman; Henderson; Holle; Hoverson; Kasper; Kempenich; Marschall; Olson, S.; Prichard; Rios; Schatz; Timmons; VanWinkle

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVile; Frellich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Ista; Johnson, J.; Jonas; Karls; Kiefert; Klemm; Koppelman; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

HB 1405 failed.

SECOND READING OF HOUSE BILL

HB 1431: A BILL for an Act to amend and reenact section 16.1-01-04.1 of the North Dakota Century Code, relating to proof of citizenship.

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: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Boschee; Dobervich; Rios; Schneider

HB 1431 passed.

SECOND READING OF HOUSE BILL

HB 1433: A BILL for an Act to authorize the department of corrections and rehabilitation to convey real property owned by the state of North Dakota; to authorize the department of corrections and rehabilitation to acquire certain real property in Burleigh or Morton Counties; and to provide a continuing appropriation.

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 31 YEAS, 63 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bellew; Bosch; Christensen; Dockter; Dyk; Frelich; Grueneich; Hagert; Hauck; Headland; Heilman; Heinert; Henderson; Hoverson; Kasper; Koppelman; Kreidt; Marschall; Meier; Monson; Novak; Olson, S.; Rohr; Ruby, D.; Ruby, M.; Schatz; Steiner; Tveit; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Bahl; Beltz; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Fegley; Finley-DeVile; Fisher; Hager; Hanson; Hatlestad; Holle; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Lefor; Longmuir; Louser; Martinson; McLeod; Mitskog; Mock; Motschenbacher; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

HB 1433 failed.

SECOND READING OF HOUSE BILL

HB 1272: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 38-08-04 of the North Dakota Century Code, relating to the jurisdiction of the industrial commission and reviewing the enhanced oil recovery potential status of a well.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin;

Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

HB 1272 passed.

SECOND READING OF HOUSE BILL

HB 1203: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-63-04 of the North Dakota Century Code, relating to powers of the peace officer standards and training board; and to amend and reenact section 12-63-01 and subsection 1 of section 12-63-02.3 of the North Dakota Century Code, relating to reserve peace officer licenses.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Henderson

HB 1203 passed.

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

MADAM PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1145.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2135, SB 2148.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SCR 4004.

MOTION

REP. BOSCH MOVED that the House be on the Fourth, Fifth, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, January 31, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1062: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1062 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "subsection 6 of section 38-22-06, subsection 4 of section 44-04-20,"

Page 1, line 3, replace "subsection 2 of section 54-18-04," with "and"

Page 1, line 4, remove ", and section 57-51.1-02.2"

Page 1, line 5, remove "regulation of oil and gas wells, service requirements, modernization of the notice"

Page 1, line 6, remove "requirement,"

Page 1, line 6, remove "an"

Page 1, line 7, replace "exemption for specialized mill equipment," with "execution of instruments,"

Page 1, line 7, replace "flare mitigation" with "industrial commission powers"

Page 1, remove lines 9 through 24

Page 2, remove lines 1 through 24

Page 3, remove lines 28 through 31

Page 4, remove lines 1 through 3

Page 4, remove lines 13 through 31

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 20

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1086: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1086 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subdivision to subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to an exception to the Administrative Agencies Practice Act; and to"

Page 1, after line 4, insert:

"SECTION 1. A new subdivision to subsection 2 of section 28-32-01 of the North Dakota Century Code is created and enacted as follows:

The information technology department with respect to administrative rules regarding the policies, standards, and guidelines developed under section 54-59-09."

Page 1, line 12, replace "Annually" with "Quarterly"

Page 1, line 13, remove "presented"

Page 1, line 14, replace "to" with "approved by"

Page 1, line 21, after the period insert "The policies, standards, and guidelines developed under this section are exempt from the rulemaking procedure in chapter 28-32."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1164: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1164 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1192: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1192 was placed on the Sixth order on the calendar.

Page 1, line 3, after "sections" insert "16.1-11.1-06, 16.1-14-04,"

Page 1, line 5, after the comma insert "meeting of presidential electors,"

Page 3, after line 22, insert:

"SECTION 7. AMENDMENT. Section 16.1-11.1-06 of the North Dakota Century Code is amended and reenacted as follows:

16.1-11.1-06. Canvass of votes - Mail ballot precinct.

The county auditor shall appoint a mail ballot precinct election board for the purpose of counting mail ballots in the same manner as prescribed in section 16.1-07-12.1. The board may begin scanning the ballots at any time beginning ~~on the day~~ three business days before election day and the closing of the polls on election day. Results from the mail ballot precinct may be counted, canvassed, or released under chapter 16.1-15 as soon as any precinct within the county, city, or legislative district closes its polls on the day of the election. The county auditor shall designate a location for the closing, counting, and canvassing process under chapter 16.1-15, which location must be open to any person for the purpose of observing. The board shall comply with the requirements of sections 16.1-15-04 through 16.1-15-12 as applicable. A county conducting a mail ballot election constitutes one voting area, and ballots need not be sorted according to precinct or ward unless necessary for the administration of the election.

SECTION 8. AMENDMENT. Section 16.1-14-04 of the North Dakota Century Code is amended and reenacted as follows:

16.1-14-04. Meeting of presidential electors.

Presidential electors shall meet at one p.m. in the office of the governor in the state capitol on the first ~~Monday~~ Tuesday after the second Wednesday in December next following their appointments by election for the purpose of casting their ballots as members of the electoral college. The secretary of state shall notify the electors of the date of the meeting."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1202: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1202 was placed on the Sixth order on the calendar.

Page 1, line 4, after the semicolon insert "to provide a contingent effective date;"

Page 2, remove lines 1 through 3

Page 2, remove lines 14 through 16

Page 3, line 23, replace "ten" with "five"

Page 10, line 12, remove "department-"

Page 10, line 13, replace "licensed commercial kitchen that is inspected annually by the department" with "manufacturing facility"

Page 10, line 20, after "text" insert "and the symbols required by rules adopted under this chapter"

Page 10, line 24, replace "health council" with "department"

Page 10, after line 26, insert:

"SECTION 4. CONTINGENT EFFECTIVE DATE. Section 2 of this Act becomes effective on the date the department of health and human services certifies to the legislative council that all necessary administrative rules to regulate the form, manufacturing, packaging, labeling, and marketing of a cannabinoid edible product are in place."

Page 10, line 27, replace "This" with "Sections 1 and 3 of this"

Page 10, line 27, replace "is" with "are"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1212: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1212 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1234: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1234 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "political subdivision" with "county or city"

Page 1, line 8, replace "political subdivision" with "county"

Page 1, line 11, after "service" insert "based on fuel source"

Page 1, line 15, replace "political subdivision" with "city"

Page 1, line 18, after "service" insert "based on fuel source"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1250: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1250 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1353: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1353 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 49-05-17 of the North Dakota Century Code, relating to resource planning.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 49-05-17 of the North Dakota Century Code is amended and reenacted as follows:

49-05-17. Resource planning.

1. An integrated resource plan must include:
 - a. The electric public utility's forecast of demand for electric generation supply over the planning period with recommended plans for meeting the forecasted demand plus an additional planning reserve margin for ensuring adequate and sufficient reliability of service; and
 - b. Any additional information the commission requests related to how an electric public utility intends to provide sufficient electric generation service for use by retail customers within the state over the planning period.
2. An electric public utility shall include a least cost plan for providing adequate and reliable service to retail customers which is consistent with the provisions of this title and the rules and orders adopted and issued by the commission.
3. The commission may consider the qualitative benefits and provide value to a base-load generation and load-following generation resource and its proximity to load.
4. The commission may contract or consult with an expert to evaluate qualitative benefits of resources and to review reliability planning. The commission may require an electric public utility to pay a fee necessary for completion of an evaluation in an amount not to exceed two hundred fifty thousand dollars.
 - a. If additional funds are necessary for completion of the evaluation, upon approval of the emergency commission, the electric public utility shall pay the additional fees reasonably necessary for the completion.
 - b. If the evaluation applies to more than one electric public utility, the commission may assess each electric public utility the proportionate share of the fee.
5. An electric public utility shall report annually to the commission on ~~cybersecurity preparedness, including an assessment of emerging threats and efforts taken by the electric public utility to implement security and cybersecurity measures.~~ cybersecurity preparedness, including an assessment of emerging threats and efforts taken by the electric public utility to implement security and cybersecurity measures. The commission ~~may~~ shall limit access to records and portions of a meeting relating to security and cybersecurity preparedness."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1373: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1373 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and casualty" with "insurance"

Page 1, line 2, after "policies" insert "for debris removal"

Page 1, line 6, remove "**and casualty**"

Page 1, line 6, replace "**Required contract term**" with "**Debris removal**"

Page 1, replace lines 7 through 12 with:

- "1. An insurer covering a building or property, upon submission of a valid invoice to the insurer by a city or other political subdivision, shall directly

reimburse the city or political subdivision for any cost incurred for debris removal, clean-up, foundation removal, or excavation due to be tendered to the insured on the insured property.

2. In the absence of insurance coverage for debris removal, clean-up, foundation removal, and excavation, the city or political subdivision may seek reimbursement directly from the property owner."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1456: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1456 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1498: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1498 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk