

JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, February 7, 2023

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

The prayer was offered by Chaplain Bobby GreyEagle, Nations Movement-Cru, 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 1040, HB 1211, HB 1436, and HB 1462.

HB 1040 and HB 1211, as amended, were rereferred to the **Appropriations Committee**.

HB 1436 and HB 1462, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. BOSCH MOVED that HB 1472 be returned to the House floor from the **Political Subdivisions Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. HAGER REQUESTED the unanimous consent of the House to withdraw HB 1472. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILL

HB 1295: A BILL for an Act to amend and reenact sections 39-04-08, 39-04-10.4, and 39-04-11 of the North Dakota Century Code, relating to number plates.

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 79 YEAS, 15 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Finley-DeVillie; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; McLeod; Meier; Mitskog; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; 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: Bellew; Bosch; Fegley; Fisher; Frelich; Hager; Hanson; Ista; Karls; Kasper; Martinson; Mock; Monson; Pyle; Richter

HB 1295 passed.

SECOND READING OF HOUSE BILL

HB 1336: A BILL for an Act to amend and reenact section 39-04-10.16 of the North Dakota Century Code, relating to special license plates for emergency responders, firefighters, and search and rescue personnel.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 3 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; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frellich; 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; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Speaker Johnson, D.

NAYS: Bellew; Toman; Weisz

HB 1336 passed.

SECOND READING OF HOUSE BILL

HB 1475: A BILL for an Act to amend and reenact subdivision i of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on multilane highways; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 65 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Bahl; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Finley-DeVille; Fisher; Frellich; Grueneich; Hager; Hagert; Hatlestad; Hauck; Headland; Heilman; Henderson; Holle; Ista; Johnson, J.; Jonas; Kasper; Kiefert; Klemin; Koppelman; Longmuir; Louser; Marschall; McLeod; Meier; Mock; Motschenbacher; Murphy; Nathe; Olson, S.; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schneider; Steiner; Stemen; Swiontek; Thomas; Timmons; Tveit; VanWinkle; Vetter; Wagner; Warrey; Weisz

NAYS: Anderson, B.; Anderson, K.; Bellew; Beltz; Fegley; Hanson; Heinert; Hoverson; Karls; Kempenich; Kreidt; Lefor; Martinson; Mitskog; Monson; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Satrom; Schauer; Schobinger; Schreiber-Beck; Strinden; Toman; Vigesaa; Speaker Johnson, D.

HB 1475 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3009: A concurrent resolution designating the second week in May of 2023-24 as "North Dakota Share the Road Safety Week".

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

HCR 3009 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILL

HB 1258: A BILL for an Act to create and enact a new section to chapter 4.1-01 of the North Dakota Century Code, relating to the protection of native pollinating insects in the

state; to provide a report; to provide an appropriation; 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 NOT PASS, the roll was called and there were 15 YEAS, 79 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Boschee; Christensen; Davis; Dobervich; Finley-DeVile; Hager; Hanson; Ista; Mitskog; Mock; Rios; Schneider; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, K.; Bahl; Bellev; Beltz; Bosch; Brandenburg; Christy; Conmy; Cory; Dakane; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; 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; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

HB 1258 failed.

SECOND READING OF HOUSE BILL

HB 1289: A BILL for an Act to create and enact a new subsection to section 29-26-22 of the North Dakota Century Code, relating to waiver of fines, fees, and costs upon successful completion of an approved adult drug court program; to provide for retroactive application; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 5 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; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; 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; 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.

NAYS: Bellev; Hoverson; Schatz; Timmons; VanWinkle

HB 1289 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1518: A BILL for an Act to create and enact a new section to chapter 12.1-34 of the North Dakota Century Code, relating to rights of a sexual assault survivor.

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: Bosch; Boschee; Brandenburg; Christensen; Davis; Dobervich; Finley-DeVile;

Grueneich; Hager; Hanson; Hatlestad; Headland; Heilman; Ista; Kempenich; Meier; Mitskog; Mock; Nathe; O'Brien; Prichard; Pyle; Richter; Rohr; Schauer; Schneider; Steiner; Vetter

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Christy; Conmy; Cory; Dakane; Dockter; Dyk; Fegley; Fisher; Frelich; Hagert; Hauck; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Monson; Motschenbacher; Murphy; Nelson; Novak; Olson, J.; Olson, S.; Ostlie; Porter; Rios; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

HB 1518 failed.

SECOND READING OF HOUSE BILL

HB 1303: A BILL for an Act to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to alcoholic beverage tax on diluted beverages.

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 35 YEAS, 59 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bahl; Beltz; Boschee; Christensen; Christy; Conmy; Cory; Dakane; Davis; Frelich; Hauck; Heilman; Henderson; Holle; Karls; Kasper; Klemin; Koppelman; Kreidt; Marschall; Martinson; Mitskog; Motschenbacher; Nelson; Olson, S.; Prichard; Rios; Ruby, D.; Ruby, M.; Sanford; Schneider; Timmons; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Bellew; Bosch; Brandenburg; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Ista; Johnson, J.; Jonas; Kempenich; Kiefert; Lefor; Longmuir; Louser; McLeod; Meier; Mock; Monson; Murphy; Nathe; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vigasaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

Engrossed HB 1303 failed.

SECOND READING OF HOUSE BILL

HB 1417: A BILL for an Act to amend and reenact subsection 1 of section 39-06.1-10 of the North Dakota Century Code, relating to entries against a driving record.

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

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

NAYS: Bellew; Christensen; Frelich; Grueneich; Hagert; Heilman; Henderson; Hoverson; Kasper; Koppelman; Olson, S.; Ostlie; Prichard; Rios; Schobinger; Thomas;

Timmons; Toman; Tveit; Weisz

HB 1417 passed.

SECOND READING OF HOUSE BILL

HB 1394: A BILL for an Act to create and enact a new section to chapter 39-13 of the North Dakota Century Code, relating to a highway logo sign program.

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

YEAS: Schatz; Steiner

NAYS: 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; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

HB 1394 failed.

SECOND READING OF HOUSE BILL

HB 1219: A BILL for an Act to amend and reenact subsection 9 of section 15-39.1-04, subsection 7 of section 15-39.1-05.2, subsection 2 of section 15-39.1-12.2, sections 15-39.1-15 and 15-39.1-16, subsection 2 of section 15-39.1-18, and sections 15-39.1-19.1, 15-39.1-19.2, and 15-39.1-27 of the North Dakota Century Code, relating to the teachers' fund for retirement board authority and teachers' fund for retirement benefits.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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 1219 passed.

SECOND READING OF HOUSE BILL

HB 1467: A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to random audits after the certification of an election.

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 30 YEAS, 64 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, K.; Bellew; Christensen; Dyk; Fisher; Frellich; Hauck; Heilman; Henderson; Holle; Hoverson; Kasper; Kempenich; Koppelman; Louser; Marschall; Meier; Mock; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Schatz; Schneider; Steiner; Timmons; Toman; Tveit; VanWinkle

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

HB 1467 failed.

SECOND READING OF HOUSE BILL

HB 1508: A BILL for an Act to amend and reenact sections 54-10-01, 54-10-14, and 54-10-27 of the North Dakota Century Code, relating to audit fees of state institutions, political subdivisions, and occupational and professional boards; 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 54 YEAS, 40 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Cory; Dakane; Davis; Dobervich; Dockter; Finley-DeVille; Grueneich; Hager; Hagert; Hanson; Headland; Heinert; Ista; Karls; Kempenich; Kreidt; Lefor; Martinson; McLeod; Meier; Mitskog; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Wagner; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Conmy; Dyk; Fegley; Fisher; Frellich; Hatlestad; Hauck; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Kasper; Kiefert; Klemin; Koppelman; Longmuir; Louser; Marschall; Mock; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Steiner; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigasaa; Warrey

HB 1508 passed.

MOTION

REP. BOSCH MOVED that HB 1508 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, HB 1508 was rereferred.

SECOND READING OF HOUSE BILL

HB 1439: A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 of the North Dakota Century Code, relating to a property tax exemption for property of churches; and to provide an 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 91 YEAS, 3 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; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; 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; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Davis; Hager; Schobinger

Engrossed HB 1439 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 1047, HB 1125, HB 1178, HB 1221, HB 1262, HB 1269, HB 1310, HB 1383, HB 1388, HB 1389, HB 1392, HB 1453, HB 1490.

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

MADAM PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1284, HB 1495.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2005, SB 2114, SB 2171, SB 2305, SB 2362, SB 2373, SB 2377, SB 2382, SB 2391.

MOTION

REP. BOSCH MOVED that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 8, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1035: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1035 was placed on the Sixth order on the calendar.

Page 3, remove line 8

Page 3, line 9, replace "700,000" with "\$700,000"

Page 3, remove line 10

Page 3, line 11, replace "726,813" with "350,000"

Page 3, line 12, replace "\$726,813" with "\$350,000"

Page 3, remove line 13

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1036: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1036 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1146: Industry, Business and Labor Committee (Rep. Louser, Chairman)

recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1146 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1149: Education Committee (Rep. Heinert, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1149 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1163: Education Committee (Rep. Heinert, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1163 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1185: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1185 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "grants" with "loans"

Page 1, line 3, after "inflation" insert "; to provide an expiration date; and to declare an emergency"

Page 1, line 11, remove "or grants"

Page 1, line 12, remove "or grant"

Page 1, line 14, remove "unanticipated construction inflation."

Page 1, line 21, remove "or grant"

Page 2, line 1, remove "or grant"

Page 2, line 2, remove "or grant"

Page 2, line 11, replace "grant" with "loan"

Page 2, line 11, after "section" insert "which includes additional expenses due to unanticipated construction inflation"

Page 2, line 12, remove "voter-"

Page 2, line 13, replace "approved bond issue passed" with "construction project bid"

Page 2, line 13, replace "July" with "January 1."

Page 2, line 13, replace "January 2023" with "June 30, 2024"

Page 2, line 13, remove the second "and"

Page 2, line 15, after "dollars" insert "; and

(3) The interest rate on the loan may not exceed one and one-half percent per year"

Page 3, after line 6, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 2024, and after that date is ineffective.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1241: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1241 was placed on the Sixth order on the calendar.

Page 1, line 15, after "reviewed" insert "by a committee consisting of seven members established by the state board of higher education"

Page 1, line 16, after the underscored period insert "The committee must include:

- a. The director of career and technical education; and
- b. Two members of the legislative assembly, one member from each chamber, appointed by the legislative management."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1251: Education Committee (Rep. Heinert, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1251 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1253: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1253 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "of subsection 3"

Page 1, line 11, remove ":-"

Page 1, line 12, remove "Transportation of aggregate material"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 14

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1261: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1261 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1275: Agriculture Committee (Rep. Thomas, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1275 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1318: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1318 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "within the"

Page 1, line 13, remove "forty-five days following naturalization,"

Page 1, line 14, after the underscored period insert "The individual shall update the citizenship status within forty-five days following naturalization."

Page 2, line 6, remove "within the forty-five days following naturalization,"

Page 2, line 8, after the underscored period insert "The individual shall update the citizenship status within forty-five days following naturalization."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1349: Education Committee (Rep. Heinert, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1349 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1364: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1364 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1395: Education Committee (Rep. Heinert, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1395 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1396: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1396 was placed on the Sixth order on the calendar.

Page 1, line 1, remove ", 50-24.1-17,"

Page 2, line 9, remove ", parent or caretaker relative of a child, or"

Page 2, line 10, replace "former foster youth" with "under nineteen years of age"

Page 2, remove lines 11 through 20

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1445: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1445 was placed on the Sixth order on the calendar.

Page 1, line 2, after "shorts" insert "and interest and penalties"

Page 1, line 6, overstrike "and interest and penalty"

Page 1, line 7, after the period insert "Interest and penalties are classified as expenses."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1464: Education Committee (Rep. Heinert, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1464 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1468: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1468 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1477: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0

ABSENT AND NOT VOTING). HB 1477 was placed on the Sixth order on the calendar.

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

Page 1, line 1, after "1" insert "and 2"

Page 1, line 2, after "11-28.3-15" insert ", and subsection 2 of section 11-28.3-16"

Page 1, line 3, after "districts" insert "; and to provide an appropriation"

Page 2, line 29, overstrike "in a district"

Page 3, after line 23, insert:

"SECTION 4. AMENDMENT. Subsection 2 of section 11-28.3-15 of the North Dakota Century Code is amended and reenacted as follows:

2. If the area to be annexed is not ~~serviced by the district under section 57-40-6-10~~ within the designated service area as established under subsection 1 of section 23-27-01, the proceedings for the annexation may be initiated by a presentation to the county auditor. If more than one county is in the proposed annexed territory, the auditor serving the larger portion shall coordinate with other county auditors to create a petition stating the desires and purposes of the petitioners signed by fifty qualified electors, or if there are not fifty qualified electors in the proposed territory, fifty percent of qualified electors residing within the boundaries of the territory. The petition must contain a description of the boundaries of the territory proposed to be annexed and must be accompanied by a map or plat and a deposit for publication costs.

SECTION 5. AMENDMENT. Subsection 2 of section 11-28.3-16 of the North Dakota Century Code is amended and reenacted as follows:

2. Notwithstanding ~~section 57-40-6-10~~ subsection 1 of section 23-27-01 designating an ambulance service area, the district is not obligated to maintain the withdrawn district within the primary response area of the district.

SECTION 6. APPROPRIATION - COMMUNITY HEALTH TRUST FUND - DEPARTMENT OF HEALTH AND HUMAN SERVICES - EMERGENCY MEDICAL SERVICES AND RURAL AMBULANCE SERVICE DISTRICTS. There is appropriated out of any moneys in the community health trust fund in the state treasury, not otherwise appropriated, the sum of \$7,000,000, or so much of the sum as may be necessary, to the department of health and human services for the purpose of aiding the functions and operations of rural emergency medical services and rural ambulance service districts, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1480: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1480 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and"

Page 1, line 3, after "transfer" insert "; and to provide an effective date"

Page 2, line 3, after the underscored period insert "A provision that a bonus payment may be provided to the recipient of the grant, contract, or agreement only after a twenty-percent cost reduction has been achieved."

e. A provision that a bonus payment may not exceed half of the cost reduction.

f."

Page 2, line 5, replace "e." with "g."

Page 2, line 8, replace "\$10,000,000" with "\$2,500,000"

Page 2, after line 11, insert:

"SECTION 3. EFFECTIVE DATE. This Act is effective January 1, 2024."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1491: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1491 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "lunch" with "meals"

Page 1, line 5, replace "**LUNCHESES**" with "**MEALS**"

Page 1, line 6, replace "\$89,500,000" with "\$6,000,000"

Page 1, line 8, replace "lunch" with "meals"

Page 1, line 9, after "students" insert "at or below two hundred percent of federal poverty level"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1492: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1492 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "injury to"

Page 1, remove lines 13 through 15

Page 1, line 16, replace "includes witnessing an act of domestic violence as defined in section 14-07.1-01" with "observable and substantial, nontransitory impairment to a child's mental or psychological ability to function within a normal range of performance or behavior"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1493: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1493 was placed on the Sixth order on the calendar.

Page 9, line 3, remove "legally living in the United States"

Page 9, line 4, replace "according to federal immigration laws" with "lawful presence or lawfully present as defined under the Immigration and Nationality Act [8 U.S.C. 1101 et seq.]"

Page 9, line 5, remove "An immigration parolee:"

Page 9, line 6, remove "b."

Page 9, line 6, remove "whose removal"

Page 9, line 7, remove "has been deferred, stayed, or withheld"

Page 9, line 8, replace "c." with "b."

Page 9, line 8, remove "who has applied for asylum"

Page 9, line 9, remove "but not been granted asylum"

Page 20, line 6, remove the overstrike over the second comma

Page 20, remove the overstrike over lines 7 and 8

Page 20, line 9, remove the overstrike over "residence status in the United States"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1506: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1506 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 39-10.1 of the North Dakota Century Code, relating to bicycling under the influence of alcohol or drugs;"

Page 1, line 1, after "39-07-01" insert "and subsection 1 of section 39-10.1-01"

Page 1, line 2, after "vehicle" insert "; and to provide penalty"

Page 1, after line 11, insert:

"SECTION 2. AMENDMENT. Subsection 1 of section 39-10.1-01 of the North Dakota Century Code is amended and reenacted as follows:

1. It is unlawful for any person to do any act forbidden or fail to perform any act required in this chapter. Any~~Except as provided in section 3 of this Act, a~~ person who violates any of the provisions of this chapter may be assessed a fee not to exceed five dollars.

SECTION 3. A new section to chapter 39-10.1 of the North Dakota Century Code is created and enacted as follows:

Bicyclists under the influence of alcohol or drugs - Penalty.

An individual operating a bicycle on a roadway, or an area the public has access to, may not be under the influence of alcohol or any drug to a degree which renders the individual a hazard to themselves or the general public. An individual who violates this section must be assessed a fee of twenty dollars."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1527: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1527 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1530: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAY, 0

ABSENT AND NOT VOTING). HB 1530 was placed on the Sixth order on the calendar.

Page 1, remove lines 20 through 22

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1532: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1532 was placed on the Sixth order on the calendar.

Page 2, line 9, replace "not less than fifteen percent and" with "equivalent to the qualified education expenses, but"

Renumber accordingly

FIRST READING OF SENATE BILL

SB 2183: A BILL for an Act to provide an appropriation to the adjutant general for snow removal grants; to provide for a report; and to declare an emergency.
Was read the first time and referred to the **Appropriations Committee**.

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

Buell J. Reich, Chief Clerk