JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, January 13, 2023

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

The prayer was offered by Pastor Keith Ritchie, Cornerstone Community Church, Bismarck.

The roll was called and all members were present except Representatives Kempenich and O'Brien.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to HB 1041, HB 1072, HB 1104, and HB 1113.

HB 1041, HB 1072, HB 1104, and HB 1113, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. BOSCH MOVED that HB 1244 be returned to the House floor from the **Human Services Committee** and be rereferred to the **Finance and Taxation Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1244 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1116 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Political Subdivisions Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1116 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1337 be returned to the House floor from the **Energy and Natural Resources Committee** and be rereferred to the **Education Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1337 was rereferred.

SECOND READING OF HOUSE BILL

HB 1093: A BILL for an Act authorizing the state of North Dakota acting through job service North Dakota to sell certain property.

ROLL CALL

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

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

Warrey; Weisz; Speaker Johnson, D.

NAYS: Johnson, J.

ABSENT AND NOT VOTING: Kempenich; O'Brien; Schreiber-Beck

HB 1093 passed.

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SECOND READING OF HOUSE BILL

HB 1143: A BILL for an Act to amend and reenact section 12.1-23-02 of the North Dakota Century Code, relating to theft of property; 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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 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-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Kempenich; O'Brien; Prichard; Rohr; Schreiber-Beck

HB 1143 passed.

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SECOND READING OF HOUSE BILL

HB 1121: A BILL for an Act to amend and reenact section 12.1-17-01 of the North Dakota Century Code, relating to assault on a health care facility employee; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 67 YEAS, 25 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Hoverson; Ista; Jonas; Karls; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Monson; Murphy; Nathe; Nelson; Novak; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rohr; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, K.; Bellew; Christensen; Cory; Fisher; Frelich; Heilman; Henderson; Holle; Johnson, J.; Kasper; Koppelman; Mock; Motschenbacher; Rios; Roers Jones; Ruby, D.; Ruby, M.; Schatz; Steiner; Thomas; Timmons; Toman; VanWinkle; Vetter

ABSENT AND NOT VOTING: Kempenich; O'Brien

HB 1121 passed.

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SECOND READING OF HOUSE BILL

HB 1130: A BILL for an Act to amend and reenact section 12.1-31-01 of the North Dakota Century Code, relating to the sealing of a criminal record.

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, 91 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Schneider

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

ABSENT AND NOT VOTING: Kempenich; O'Brien

HB 1130 failed.

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SECOND READING OF HOUSE BILL

HB 1114: A BILL for an Act to amend and reenact section 53-06.1-11.2 of the North Dakota Century Code, relating to transfers of charitable gaming funds; to provide a continuing appropriation; to provide for retroactive application; 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 81 YEAS, 11 NAYS, 0 EXCUSED, 2 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; Frelich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Motschenbacher; Murphy; Nathe; Nelson; Novak; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; VanWinkle; Vetter; Wagner; Warrey; Speaker Johnson, D.

NAYS: Bellew; Grueneich; Heilman; Hoverson; Kasper; Monson; Prichard; Ruby, D.; Timmons; Vigesaa; Weisz

ABSENT AND NOT VOTING: Kempenich; O'Brien

Engrossed HB 1114 passed and the emergency clause was declared carried.

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SECOND READING OF HOUSE BILL

HB 1091: A BILL for an Act to amend and reenact sections 50-11-00.1, 50-11-01, 50-11-01.5, 50-11-01.6, 50-11-02, 50-11-02.1, 50-11-02.2, 50-11-03, 50-11-03.2, 50-11-03.3,

50-11-03.4, 50-11-03.5, 50-11-04, 50-11-04.2, 50-11-05, 50-11-06.7, 50-11-07, 50-11-08, and 50-11-09 of the North Dakota Century Code, relating to family foster care for children licenses, certifications, and approvals, and identified and kinship relatives; and to provide for a report to legislative management.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 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-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; 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.

ABSENT AND NOT VOTING: Kempenich; O'Brien

HB 1091 passed.

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SECOND READING OF HOUSE BILL

HB 1049: A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota Century Code, relating to an agency foster home for adults zoning area.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 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-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; 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.

ABSENT AND NOT VOTING: Kempenich; O'Brien

HB 1049 passed.

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SECOND READING OF HOUSE BILL

HB 1094: A BILL for an Act to create and enact section 26.1-02.1-02.2 of the North Dakota Century Code, relating to the prosecution of insurance fraud.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 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-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; 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.

ABSENT AND NOT VOTING: Kempenich; O'Brien

HB 1094 passed.

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SECOND READING OF HOUSE BILL

HB 1048: A BILL for an Act to amend and reenact subsection 1 of section 50-06-01.4 of the North Dakota Century Code, relating to administration of programs for individuals with developmental disabilities by the department of health and human services.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 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-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; 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.

ABSENT AND NOT VOTING: Kempenich; O'Brien

HB 1048 passed.

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SECOND READING OF HOUSE BILL

HB 1165: A BILL for an Act to create and enact three new sections to chapter 23-01 of the North Dakota Century Code, relating to powers and duties of the department of health and human services public health division, central public health laboratory, and surge staffing; to amend and reenact subdivision p of subsection 1 of section 11-16-01, section 14-13-03, subsection 2 of section 15-52-03, section 16.1-02-06, subsection 2 of section 19-24.1-38, sections 23-01-03.1, 23-01-03.3, 23-01-04.3, 23-01-05, and 23-01-05.1, subsection 3 of section 23-01-05.3, sections 23-01-05.4, 23-01-08, 23-01-08.1, and 23-01-12, subsection 3 of section 23-01-44, sections 23-01.2-01, 23-01.2-03, and 23-01.2-04, subsection 8 of section 23-01.3-01, subsection 1 of section 23-01.3-06, section 23-01.3-08, subsections 8, 17, and 21 of section 23-02.1-01, sections 23-02.1-02 and 23-02.1-03, subsection 4 of section 23-07-02.3, sections 23-07-15, 23-07.2-01, and 23-09.4-08, subsection 4 of section 23-10-03, section 23-10-06, subsection 2 of section 23-10-06.1, sections 23-10-12, 23-16-05, 23-16-06, 23-16-10, 23-16-11, 23-17-08, 23-17.6-01, 23-17.6-02, 23-17.6-04, 23-17.6-06, 23-17.7-03, 23-23-03, 23-24-01, 23-24-02, 23-24-02.1, 23-24-06, 23-27-03, and 23-27-04.7, subsection 3 of section 23-27-04.9, sections 23-35.1-02, 23-35.1-03, and 23-36-08, subsection 1 of section 23-38.1-02, section 23-43-01, subsection 3 of section 23-43-05, section 23-46-02, subsection 1 of section 23-47-03, subsection 7 of section 25-01-01, subsection 1 of section

25-01-01.1, subsection 3 of section 25-02-01.1, sections 25-03.1-34.1, 25-03.3-01, 25-03.3-12, 25-03.3-13, 25-03.3-14, 25-03.3-17, 25-03.3-18, 25-03.3-18.1, 25-03.3-24, 25-04-08.1, and 25-11-02, subsection 2 of section 37-17.4-01, sections 43-10-02, 43-12.3-01, 43-12.3-02, 43-12.3-03, 43-12.3-04, 43-12.3-05, 43-12.3-06, and 43-12.3-07, subsection 14 of section 43-15-10, sections 43-28.1-01, 43-28.1-03, 43-28.1-05, 43-28.1-07, 43-28.1-08, 43-28.1-09, 43-29.1-01, and 43-29.1-02, subsection 1 of section 43-29.1-03, sections 43-29.1-04, 43-29.1-05, and 43-29.1-06, subsection 5 of section 43-29.1-07, section 43-29.1-08, 43-34-02, 43-38-01, 43-38-02, and 43-38-03, subsection 1 of section 43-43-01, sections 43-43-03 and 43-43-05, subsection 10 of section 50-01.1-06, sections 50-06-01.1, 50-06-01.3, and 50-06-01.4, subsection 3 of section 50-06-05.3, sections 50-06-05.5, 50-06-05.8, 50-06-06.6, 50-06-30, 50-06-31, and 50-06-32, subsection 1 of section 50-06-43.2, subsection 4 of section 50-06.1-01, subsection 7 of section 50-10.1-03, subsection 1 of section 50-11.1-25, sections 50-21-02, 50-21-04, and 50-24.6-02, subsection 3 of section 50-25.1-04.1, subsection 1 of section 50-28-04, subsection 1 of section 50-28-05, subsection 2 of section 50-35-01, section 54-44.3-31, subsection 1 of section 54-07-01.2, section 54-46-13, subsection 1 of section 54-59-25, and sections 54-59-33 and 57-60-03 of the North Dakota Century Code, relating to the powers and duties of the department of health and human services, state health officer, state health council and the executive director of the department of health and human services; and to repeal sections 23-01-01, 23-01-02, 23-01-03, 23-01-06, and 23-07-07 of the North Dakota Century Code, relating to the health division, state health council, a biennial report, and reporting sexually transmitted diseases.

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, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Christensen

ABSENT AND NOT VOTING: Kempenich; O'Brien

HB 1165 passed.

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SECOND READING OF HOUSE BILL

HB 1051: A BILL for an Act to amend and reenact section 50-06-05.1 of the North Dakota Century Code, relating to the powers and duties of the department of health and human services.

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 72 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Ista; Johnson, J.; Jonas; Karls; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Murphy; Nathe; Nelson; Novak; Olson,

J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, K.; Bellew; Christensen; Dyk; Heilman; Henderson; Holle; Hoverson; Kasper; Koppelman; Marschall; Monson; Motschenbacher; Prichard; Rios; Rohr; Schatz; Toman; VanWinkle; Vetter

ABSENT AND NOT VOTING: Kempenich; O'Brien

Engrossed HB 1051 passed.

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SECOND READING OF HOUSE BILL

HB 1139: A BILL for an Act to amend and reenact sections 23-02.1-01, 23-02.1-13, and 23-02.1-15 of the North Dakota Century Code, relating to required elements of birth records.

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 81 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Boschee; Conmy; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Ista; Mitskog; Mock; Schneider

ABSENT AND NOT VOTING: Kempenich; O'Brien

Engrossed HB 1139 passed.

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SECOND READING OF HOUSE BILL

HB 1058: A BILL for an Act to amend and reenact section 27-08.1-04 of the North Dakota Century Code, relating to small claims.

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, 0 NAYS, 0 EXCUSED, 2 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-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; 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.

ABSENT AND NOT VOTING: Kempenich; O'Brien

Engrossed HB 1058 passed.

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SECOND READING OF HOUSE BILL

HB 1142: A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-11.1 of the North Dakota Century Code, relating to expanding eligible uses for charitable gaming net proceeds.

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 86 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Dyk; Louser; Ruby, D.; Toman; VanWinkle

ABSENT AND NOT VOTING: Kempenich; O'Brien

Engrossed HB 1142 passed.

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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 1092, HCR 3002.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2049, SB 2113.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2029.

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

MR. SPEAKER: The Senate has passed, unchanged: HCR 3003.

MOTION

REP. BOSCH MOVED that the absent members be excused, which motion prevailed.

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., Monday, January 16, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1061: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1061 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "a new subsection to section 39-21-39 and"

Page 1, line 17, remove "or more"

Page 1, line 19, replace "followed by the" with "when the intersection is clear. The"

Page 1, line 19, after "stopped" insert "may proceed when the intersection is clear again"

Page 2, after line 7, insert:

"**SECTION 2.** A new subsection to section 39-21-39 of the North Dakota Century Code is created and enacted as follows:

Subsection 4 does not apply to nonreflective sunscreening or window tinting material above the AS-1 line or within the top five inches [12.7 centimeters] of the windshield."

Page 2, line 11, remove "cracked,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1063: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1063 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1064: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1064 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1069: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1069 was placed on the Sixth order on the calendar.

Page 1, line 6, after "guard" insert "; and to declare an emergency"

Page 1, line 11, remove "into active"

Page 1, line 12, replace "service" with "to state active duty"

Page 2, line 6, replace "members" with "member's"

Page 3, line 3, after "officer" insert "or enlisted member"

Page 3, line 4, after "officer" insert "or enlisted member"

Page 3, after line 25, insert:

"**SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1070: 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 1070 was placed on the Sixth order on the calendar.

Page 1, line 3, after "fund" insert "; and to provide a continuing appropriation"

Page 1, line 7, after "**Establishment**" insert "**- Continuing appropriation**"

Page 1, line 17, after the underscored period insert "All monies placed in the fund under this section are appropriated to the department on a continuing basis."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1073: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1073 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1074: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1074 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1075: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1075 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1084: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1084 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1089: 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 1089 was placed on the Sixth order on the calendar.

Page 3, line 17, overstrike ", after consulting with and obtaining"

Page 3, line 18, overstrike "the approval of the state water commission"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1102: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1102 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to"

Page 1, line 3, remove "provide a continuing appropriation"

Page 1, line 7, remove " **- Continuing appropriation**"

Page 1, line 11, remove "All eligible grant and discretionary funds are"

Page 1, remove lines 12 through 17

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1109: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1109 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1141: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12

YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1141 was placed on the Sixth order on the calendar.

Page 1, line 7, after the second "or" insert "a"

Page 1, line 8, after "highway" insert "outside the limits of a city"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1169: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1169 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 1 of section 39-01-15 and"

Page 1, line 2, remove "parking privileges and"

Page 1, remove lines 5 through 17

Page 1, line 21, remove "1."

Page 1, line 23, remove the overstrike over "~~possessing~~"

Page 1, line 23, remove the underscored colon

Page 1, line 24, remove "a. Possessing"

Page 1, line 24, remove the overstrike over the overstruck period

Page 1, line 24, remove the underscored semicolon

Page 2, remove lines 1 through 25

Page 2, line 26, remove "4." and insert immediately thereafter "One set of plates per mobility-impaired individual may be issued to a vehicle the mobility-impaired individual is not listed as the owner of if the vehicle is designated for the exclusive use of transporting that mobility-impaired individual."

Renumber accordingly

FIRST READING OF HOUSE BILLS

Reps. Brandenburg, Grueneich, Headland, D. Johnson, Kempenich, Lefor, Satrom, Thomas and Sens. Conley, Hogue, Wanzek, Weber introduced:

HB 1369: A BILL for an Act to create and enact a new section to chapter 54-17 of the North Dakota Century Code, relating to a fertilizer development fund; to provide for a legislative management report; to provide a continuing appropriation; and to provide for a transfer.

Was read the first time and referred to the **Appropriations Committee**.

Reps. Hagert, Beltz, Fisher, Grueneich, Headland, D. Johnson, Weisz and Sens. Erbele, Kessel, Lemm, Meyer, Weber introduced:

HB 1370: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for sales of grain bins; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Thomas, D. Anderson, Fisher, Hagert, Headland, Lefor and Sens. Conley, Hogue, Luick, Wanzek introduced:

HB 1371: A BILL for an Act to amend and reenact section 10-06.1-01 and subsection 2 of section 10-06.1-12 of the North Dakota Century Code, relating to agricultural definitions, ownership exceptions for beekeeping, agriculture support services, cattle backgrounding and feedlot operations, and raising or producing of livestock by persons that have limited landholdings.

Was read the first time and referred to the **Agriculture Committee**.

Reps. Toman, Cory, Holle, Motschenbacher introduced:

HB 1372: 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 and professional 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 licensure of teachers; and to provide for a legislative management report.

Was read the first time and referred to the **Education Committee**.

Reps. Brandenburg, Grueneich and Sen. Erbele introduced:

HB 1373: A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to property and casualty policies.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Toman, Christensen, Motschenbacher, Prichard introduced:

HB 1374: A BILL for an Act to create and enact a new section to chapter 49-02 of the North Dakota Century Code, relating to competition between the government and private industry; and to require a report to legislative management.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Fisher, Christensen, Karls, McLeod, O'Brien, S. Olson, Prichard, Sanford, Schreiber-Beck and Sens. Burckhard, Myrdal, Wanzek introduced:

HB 1375: A BILL for an Act to provide an appropriation to the department of health and human services to reimburse child-placing agencies for the costs of home study reports.

Was read the first time and referred to the **Human Services Committee**.

Reps. Strinden, Meier, Monson, Pyle, Richter, Satrom, Schreiber-Beck and Sens. Davison, Meyer introduced:

HB 1376: A BILL for an Act to amend and reenact sections 15-19-01, 15.1-07-25.4, 15.1-31-01, 15.1-31-06, 15.1-31-07, and 15.1-31-08 of the North Dakota Century Code, relating to virtual instruction of students and open enrollment.

Was read the first time and referred to the **Education Committee**.

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

Buell J. Reich, Chief Clerk