JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

* * * * *

Bismarck, January 20, 2023

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

The prayer was offered by Pastor Bob Caranicas, Good Shepherd Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Christy, Finley-DeVille, Mitskog, Murphy, and Warrey.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Bellew, Chairman)** has carefully examined the Journal of the Eleventh Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 351, line 40, replace "HB 1138" with "HB 1136"

REP. BELLEW MOVED that the report be adopted, which motion prevailed.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to HB 1160 and HB 1199.

HB 1160 and HB 1199, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. BOSCH MOVED that after action taken on the Sixth order, Engrossed HB 1199 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1110 be returned to the House floor from the **Human Services Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. M. RUBY REQUESTED the unanimous consent of the House to withdraw HB 1110. There being no objection, it was so ordered by the Speaker.

MOTION

REP. BOSCH MOVED that HB 1299 be returned to the House floor from the **Government and Veterans Affairs Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

REP. LOUSER REQUESTED the unanimous consent of the House to withdraw HB 1299. There being no objection, it was so ordered by the Speaker.

MOTION

REP. BOSCH MOVED that HB 1427 be returned to the House floor from the **Energy and Natural Resources Committee** and be rereferred to the **Finance and Taxation Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1427 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1450 be returned to the House floor from the **Human Services Committee** and be rereferred to the **Judiciary Committee**, which motion

prevailed.

Pursuant to Rep. Bosch's motion, HB 1450 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1477 be returned to the House floor from the **Political Subdivisions Committee** and be rereferred to the **Human Services Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1477 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1460 be returned to the House floor from the **Finance and Taxation Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1460 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1505 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Human Services Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1505 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1518 be returned to the House floor from the **Human Services Committee** and be rereferred to the **Judiciary Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1518 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1527 be returned to the House floor from the **Political Subdivisions Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1527 was rereferred.

SECOND READING OF HOUSE BILL

HB 1199: A BILL for an Act to provide an appropriation to the department of career and technical education for the statewide area and career center initiative grant program; to authorize a Bank of North Dakota line of credit; to provide an exemption; to provide for a transfer; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; 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; 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; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

Engrossed HB 1199 passed and the emergency clause was declared carried.

****

SECOND READING OF HOUSE BILL

HB 1238: A BILL for an Act to amend and reenact section 15.1-27-35.3 of the North Dakota Century Code, relating to extending the moratorium on the unobligated general fund balance deductions from state aid formula payments; and to provide for a legislative management study regarding the impact of the ending fund balance on school credit and school efficacy.

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 84 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Christensen; Henderson; Koppelman; Prichard; Steiner

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey; Speaker Johnson, D.

HB 1238 passed.

****

SECOND READING OF HOUSE BILL

HB 1290: A BILL for an Act to amend and reenact subsection 1 of section 23-09.3-01.1 and subsection 1 of section 23-16-01.1 of the North Dakota Century Code, relating to the moratorium on basic care and nursing facility bed capacity.

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 85 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Heilman; Porter; Prichard; Toman; Weisz

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

HB 1290 passed.

****

SECOND READING OF HOUSE BILL

HB 1228: A BILL for an Act to amend and reenact sections 51-37-01, 51-37-02, and

51-37-04, relating to the use of certain marketing practices involving an agreement containing a provision for automatic renewal; and to provide for application.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; 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; 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; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

HB 1228 passed.

****

SECOND READING OF HOUSE BILL

HB 1335: A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to allowing off sale of alcoholic beverages on Thanksgiving; 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 48 YEAS, 42 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bahl; Bosch; Boschee; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Fegley; Fisher; Grueneich; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Henderson; Ista; Jonas; Kasper; Lefor; Longmuir; Louser; Marschall; Martinson; Mock; Motschenbacher; Murphy; Nathe; Nelson; O'Brien; Olson, J.; Ostlie; Porter; Prichard; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Schneider; Schobinger; Schreiber-Beck; Thomas; Toman; Wagner

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bellew; Beltz; Brandenburg; Christensen; Dyk; Frelich; Hagert; Heilman; Holle; Hoverson; Johnson, J.; Karls; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; McLeod; Meier; Monson; Novak; Olson, S.; Rios; Rohr; Sanford; Satrom; Schatz; Schauer; Steiner; Stemen; Strinden; Swiontek; Timmons; Tveit; VanWinkle; Vetter; Vigesaa; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

HB 1335 passed.

****

SECOND READING OF HOUSE BILL

HB 1327: A BILL for an Act to amend and reenact sections 54-59-05 and 54-59-22 of the North Dakota Century Code, relating to powers and duties of the information technology department and information technology requirements of the veterans' home.

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 82 YEAS, 7 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Christensen; Heilman; Henderson; Hoverson; Prichard; Toman

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Tveit; Warrey

HB 1327 passed.

****

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3001: A concurrent resolution authorizing the Budget Section of the Legislative Management to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; 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; 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; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

HCR 3001 was declared adopted on a recorded roll call vote.

****

REMARKS OF REP. STEMEN
HOUSE APPROPRIATION COMMITTEE
EDUCATION AND ENVIRONMENT DIVISION
FEDERAL BLOCK GRANT HEARING
FOR HOUSE JOURNAL

Mr. Speaker: On Monday, January 9, 2023, the House Appropriations Committee Education and Environment Division held a hearing on the community services block grant moneys anticipated by the Department of Commerce during the period beginning October 1, 2023, and ending September 30, 2025. If any member of the Legislative Assembly desires copies of the minutes and testimony presented to the House Appropriations Committee Education and Environment Division during the block grant hearing, the House Appropriations Committee Education and Environment Division clerk will make copies available to you. I inform you about the availability of the information at this time since your approval or disapproval of the appropriation for the Department of Commerce includes the legislative action regarding the use of the federal block grant funds.

SECOND READING OF HOUSE BILL

HB 1069: A BILL for an Act to create and enact a new chapter to title 37 of the North Dakota

Century Code, relating to the pay and benefits received by national guard members; to amend and reenact subsection 9 of section 37-17.1-05 of the North Dakota Century Code, relating to response to disasters or emergencies; and to repeal sections 37-04-08, 37-04-09, 37-04-11, 37-04-12, 37-04-13, and 37-07-05 of the North Dakota Century Code, relating to expenses and pay of officer and enlisted members of the national guard; and to declare an emergency.

CONFLICT OF INTEREST

REP. M. RUBY STATED that he had a conflict of interest on Engrossed HB 1069.

MOTION

REP. BOSCH MOVED that Rep. M. Ruby be excused from voting.

MOTION

REP. MARTINSON MOVED that Rep. M. Ruby be allowed to vote on Engrossed HB 1069, which motion prevailed.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; 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; 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; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

Engrossed HB 1069 passed and the emergency clause was declared carried.

****

MOTION

REP. BRANDENBURG MOVED that Rep. M. Ruby doesn't have to fill any paperwork out if he has to, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1132: A BILL for an Act to create and enact a new section to chapter 15.1-07 and a new section to chapter 15.1-29 of the North Dakota Century Code, relating to virtual instruction of military-connected students; and to amend and reenact section 15.1-20-02 of the North Dakota Century Code, relating to compulsory school attendance.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; 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; 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; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

Engrossed HB 1132 passed.

****

SECOND READING OF HOUSE BILL

HB 1030: A BILL for an Act to amend and reenact sections 15-10-38.1, 15-10-38.2, 15-10-38.4, 15-10-59, 15-62.5-01, and 15-62.5-03, subdivision a of subsection 1 of section 15-62.5-04, and sections 15-63-01, 15-63-02, 15-63-03, 15-63-04, 15-63-05, 15.1-21-02.6, and 15.1-21-02.8 of the North Dakota Century Code, relating to skilled workforce student loan repayment and scholarships, dual-credit tuition scholarships, the North Dakota scholars program, Indian scholarships, and academic and career and technical education scholarships; to repeal section 15-63-07 of the North Dakota Century Code, relating to the use of Indian scholarship refunds; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; 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; 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; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

Engrossed HB 1030 passed and the emergency clause was declared carried.

****

SECOND READING OF HOUSE BILL

HB 1213: A BILL for an Act to create and enact a new section to chapter 12.1-05 of the North Dakota Century Code, relating to reimbursement for a finding of self-defense when charged with a crime of violence; and to provide for application.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 50 YEAS, 40 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bahl; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Dockter; Dyk; Fegley; Fisher; Frelich; Hatlestad; Heilman; Henderson; Holle; Hoverson; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Louser; Marschall; McLeod; Motschenbacher; Murphy; Novak; Olson, J.; Olson, S.; Porter; Prichard; Richter; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schauer; Schobinger; Steiner; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Wagner

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Boschee; Conmy; Dakane; Davis; Dobervich; Grueneich; Hager; Hagert; Hanson; Hauck; Headland; Heinert; Ista; Johnson, J.; Jonas; Lefor; Longmuir; Martinson; Meier; Mock; Monson; Nathe; Nelson; O'Brien; Ostlie; Pyle; Roers Jones; Sanford; Satrom; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; Vigesaa; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

Engrossed HB 1213 passed.

****

SECOND READING OF HOUSE BILL

HB 1338: A BILL for an Act to amend and reenact section 31-13-04 and subsection 10 of section 39-20-07 of the North Dakota Century Code, relating to collection of samples for DNA testing and chemical tests to determine alcohol concentration and presence of drugs for individuals operating motor vehicles; 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 80 YEAS, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Christensen; Heilman; Henderson; Hoverson; Prichard; Timmons; Tveit; VanWinkle; Vetter

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

Engrossed HB 1338 passed and the emergency clause was declared carried.

****

SECOND READING OF HOUSE BILL

HB 1138: A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-02 and sections 19-03.1-23 and 39-08-01.5 of the North Dakota Century Code, relating to a mental health court program.

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 74 YEAS, 16 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Bellew; Christensen; Dyk; Hauck; Heilman; Henderson; Holle; Hoverson; Kasper; Prichard; Rios; Schatz; Schobinger; Timmons; VanWinkle; Vetter

ABSENT AND NOT VOTING: Christy; Finley-DeVille; Mitskog; Warrey

Engrossed HB 1138 passed.

****

SECOND READING OF HOUSE BILL

HB 1227: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to a cost-benefit analysis for a measure or policy affecting the legacy fund.

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 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; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; 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; 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; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy; Dobervich; Finley-DeVille; Mitskog; Warrey

Engrossed HB 1227 passed.

****

MOTION

REP. BOSCH MOVED that the remarks of Rep. Stemen be printed in the journal, which motion prevailed.

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 1050, HB 1052, HB 1150, HB 1152, HB 1154, HB 1156, HB 1173, HB 1187, HB 1266, HB 1323, HB 1331.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2028, SB 2030, SB 2042, SB 2052, SB 2065, SB 2077, SB 2079, SB 2081, SB 2082, SB 2087, SB 2125, SB 2158, SB 2192.

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 23, 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** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1062 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subdivision b of subsection 1 of section 38-08-04,"

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

Page 1, line 3, replace "section 54-17-07.9, 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, remove "exemption for specialized mill equipment,"

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 19 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 1077: 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 1077 was placed on the Sixth order on the calendar.

Page 1, line 7, after "enters" insert "into discussions with an entity relating to"

Page 1, line 7, remove "with an entity"

Page 1, line 8, after "resources" insert "with a sixty-day notice once the discussions begin. Communications regarding a water storage contract must be copied to the department of water resources. The department of water resources must be provided"

Page 1, line 9, replace "the" with "a"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1090: 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 1090 was placed on the Sixth order on the calendar.

Page 1, line 1, after "23.1-08-04" insert "and subsection 2 of section 23.1-08-08"

Page 1, line 2, after "residuals" insert "and disposal of wind turbine blades"

Page 1, after line 16, insert:

"**SECTION 2. AMENDMENT.** Subsection 2 of section 23.1-08-08 of the North Dakota Century Code is amended and reenacted as follows:

2. Except as provided in subsection 3, a person may not place in municipal waste or discard or dispose of in a landfill lead-acid batteries, used motor oil, wind turbine blades, or major appliances."

Page 1, line 17, replace "This" with "Section 1 of this"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1116: Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1116 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1159: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1159 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1181: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1181 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1182: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1182 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1193: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1193 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1197: Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1197 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1208: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1208 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1222: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1222 was placed on the Sixth order on the calendar.

Page 2, line 15, overstrike "located within North Dakota"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1237: Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1237 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1243: Agriculture Committee (Rep. Thomas, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1243 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1257: Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1257 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1351: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1351 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1354: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1354 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk