JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, February 2, 2023

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

The prayer was offered by Rabbi Yonah Grossman, Chabad Jewish Center of North Dakota, Fargo.

The roll was called and all members were present except Representatives Kempenich, Lefor, and Martinson.

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 Nineteenth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 462, replace lines 14 through 17 with:

"REPORT OF STANDING COMMITTEE

HB 1374: Industry, Business and Labor Committee (Rep Louser, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1374 was placed on the Eleventh order on the calendar."

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 1125, HB 1178, HB 1221, HB 1310, HB 1388, HB 1392, HB 1415, HB 1453, HB 1470, and HB 1495.

HB 1415, as amended, was rereferred to the **Appropriations Committee**.

HB 1125, HB 1178, HB 1221, HB 1310, HB 1388, HB 1392, HB 1453, HB 1470, and HB 1495, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. BOSCH MOVED that HB 1374 be returned to the House floor from the **Industry, Business and Labor Committee** and be placed on the Eleventh order of tomorrow's calendar, which motion prevailed.

MOTION

REP. BOSCH MOVED that HB 1484 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

Pursuant to Rep. Bosch's motion, HB 1484 was rereferred.

SECOND READING OF HOUSE BILL

HB 1268: A BILL for an Act to amend and reenact section 14-07.1-01 and subsection 3 of section 14-07.1-02 of the North Dakota Century Code, relating to the definition of stalking and domestic violence protection orders; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 4 NAYS, 0 EXCUSED, 1 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; 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; 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; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Henderson; Schatz; Timmons; VanWinkle

ABSENT AND NOT VOTING: Kempenich

Engrossed HB 1268 passed.

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SECOND READING OF HOUSE BILL

HB 1344: A BILL for an Act to amend and reenact sections 28-32-14 and 28-32-17 and subsection 1 of section 28-32-18 of the North Dakota Century Code, relating to the attorney general's review of proposed administrative rules and the authority of the administrative rules committee to object to or void an administrative rule.

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, 1 NAYS, 0 EXCUSED, 1 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; Kasper; 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.

NAYS: Karls

ABSENT AND NOT VOTING: Kempenich

Engrossed HB 1344 passed.

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SECOND READING OF HOUSE BILL

HB 1137: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 27-20.2-21 and section 27-20.4-05.1 of the North Dakota Century Code, relating to inspection of court files and records, and delinquency referrals to juvenile court; and to amend and reenact sections 14-10-06, 27-20.1-04, and 27-20.1-07, subsection 1 of section 27-20.1-09, section 27-20.2-01, subsection 1 of section 27-20.2-03, section 27-20.2-05, subsection 3 of section 27-20.2-09, section 27-20.2-12, subsection 5 of section 27-20.2-15, sections 27-20.3-01, 27-20.3-03, 27-20.3-04, and 27-20.3-05, subsection 3 of section 27-20.3-06, subsection 3 of section 27-20.3-08, section 27-20.3-09, subsection 1 of section 27-20.3-10, subsection 1 of section 27-20.3-15, subsection 4 of section 27-20.3-16, subsection 5 of section 27-20.3-19, sections 27-20.3-21, 27-20.3-26, 27-20.4-01, 27-20.4-03, 27-20.4-04, 27-20.4-05, 27-20.4-06, 27-20.4-08, 27-20.4-09, and 27-20.4-10, subsection 5 of section 27-20.4-11, sections 27-20.4-14, 27-20.4-17, 27-20.4-18, and 27-20.4-25,

subsection 1 of section 27-20.4-26, and section 27-20.4-27 of the North Dakota Century Code, relating to juvenile court procedures.

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, 2 NAYS, 0 EXCUSED, 1 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; 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; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Christensen; Timmons

ABSENT AND NOT VOTING: Kempenich

Engrossed HB 1137 passed.

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SECOND READING OF HOUSE BILL

HB 1107: A BILL for an Act to amend and reenact sections 43-23.3-01 and 43-23.3-02, subsection 1 of section 43-23.3-03, sections 43-23.3-04 and 43-23.3-05, subsection 1 of section 43-23.3-06, and sections 43-23.3-07, 43-23.3-08, 43-23.3-09, 43-23.3-10, 43-23.3-11, 43-23.3-13, 43-23.3-17, 43-23.3-18, and 43-23.3-23 of the North Dakota Century Code, relating to the regulation of real estate appraisers; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 1 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; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Nelson; Ruby, M.; Schreiber-Beck

ABSENT AND NOT VOTING: Kempenich

Engrossed HB 1107 passed.

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SECOND READING OF HOUSE BILL

HB 1381: A BILL for an Act to create and enact a new section to chapter 39-34 of the North Dakota Century Code, relating to classifying a transportation network company driver as an independent contractor.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; 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.

ABSENT AND NOT VOTING: Kempenich

Engrossed HB 1381 passed.

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SECOND READING OF HOUSE BILL

HB 1298: A BILL for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota Century Code, relating to proof of liability insurance for early childhood programs; to provide for application; 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 33 YEAS, 60 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bosch; Boschee; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Hager; Hagert; Hanson; Ista; Johnson, J.; Kasper; Kiefert; Klemin; Koppelman; Louser; Marschall; Ostlie; Pyle; Roers Jones; Ruby, D.; Satrom; Schauer; Schneider; Schobinger; Thomas; Timmons; Wagner; Warrey; Speaker Johnson, D.

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Brandenburg; Davis; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Jonas; Karls; Kreidt; Lefor; Longmuir; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Porter; Prichard; Richter; Rios; Rohr; Ruby, M.; Sanford; Schatz; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Weisz

ABSENT AND NOT VOTING: Kempenich

Engrossed HB 1298 failed.

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SECOND READING OF HOUSE BILL

HB 1482: A BILL for an Act to create and enact a new section to chapter 43-13 of the North Dakota Century Code, relating to optometrists making prescriptions available to patients.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 93 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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; 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.

ABSENT AND NOT VOTING: Kempenich

HB 1482 failed.

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SECOND READING OF HOUSE BILL

HB 1300: A BILL for an Act to amend and reenact section 57-15-16 of the North Dakota Century Code, relating to a building fund mill levy without voter approval for school buildings of a certain age.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 93 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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; 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.

ABSENT AND NOT VOTING: Kempenich

HB 1300 failed.

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SECOND READING OF HOUSE BILL

HB 1329: A BILL for an Act to amend and reenact section15.1-13-12.1 of the North Dakota Century Code, relating to reducing the years required for a teacher to be eligible for a lifetime teaching license.

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 87 YEAS, 6 NAYS, 0 EXCUSED, 1 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; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; 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; O'Brien; 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; Timmons; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Henderson; Prichard; Ruby, D.; Toman; Tveit

ABSENT AND NOT VOTING: Kempenich

HB 1329 passed.

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MOTION

REP. BOSCH MOVED that HB 1382, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, HB 1382 was rereferred.

SECOND READING OF HOUSE BILL

HB 1348: A BILL for an Act to amend and reenact sections 15-20.2-01, 15-20.2-04, 15-20.2-05, 15-20.2-06, and 15-20.2-07 of the North Dakota Century Code, relating to career and technology center boards.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; 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.

ABSENT AND NOT VOTING: Kempenich

HB 1348 passed.

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SECOND READING OF HOUSE BILL

HB 1140: A BILL for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to sexual reproductive imposition; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 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; 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.

ABSENT AND NOT VOTING: Kempenich

HB 1140 passed.

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SECOND READING OF HOUSE BILL

HB 1361: A BILL for an Act to create and enact a new section to chapter 1-08 of the North Dakota Century Code, relating to personhood status; to provide for 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 86 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; 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; O'Brien; 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: Dakane; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Schneider

ABSENT AND NOT VOTING: Kempenich

HB 1361 passed and the emergency clause was declared carried.

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SECOND READING OF HOUSE BILL

HB 1342: A BILL for an Act to amend and reenact subsection 4 of section 53-06.1-01.1 of the North Dakota Century Code, relating to the state gaming commission's rules on electronic pull tab games and deals at the end of a quarter.

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 50 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bahl; Boschee; Christensen; Christy; Cory; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Jonas; Kasper; Kiefert; Koppelman; Kreidt; Louser; Marschall; Martinson; Motschenbacher; Murphy; Novak; Olson, J.; Olson, S.; Porter; Prichard; Richter; Rios; Roers Jones; Rohr; Ruby, M.; Sanford; Schatz; Schauer; Schobinger; Stemen; Toman; Vetter; Vigesaa; Wagner; Warrey

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bellew; Beltz; Bosch; Brandenburg; Conmy; Dakane; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Hoverson; Johnson, J.; Karls; Klemin; Lefor; Longmuir; McLeod; Meier; Mitskog; Mock; Monson; Nathe; Nelson; O'Brien; Ostlie; Pyle; Ruby, D.; Satrom; Schneider; Schreiber-Beck; Steiner; Strinden; Swiontek; Thomas; Timmons; Tveit; VanWinkle; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Kempenich

HB 1342 passed.

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SECOND READING OF HOUSE BILL

HB 1357: A BILL for an Act to create and enact a new section to chapter 57-36 of the North

Dakota Century Code, relating to tobacco product shipping; to amend and reenact sections 57-36-01 and 57-36-33 of the North Dakota Century Code, relating to the definition of tobacco products; to repeal chapter 51-32 of the North Dakota Century Code, relating to remote sales of tobacco products; 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 12 YEAS, 81 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boschee; Dobervich; Hager; Hanson; Ista; Mitskog; Monson; Nelson; O'Brien; Satrom; Schneider; Schreiber-Beck

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Davis; Dockter; Dyk; Fegley; Finley-DeVille; 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; Mock; Motschenbacher; Murphy; Nathe; Novak; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schobinger; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Kempenich

HB 1357 failed.

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SECOND READING OF HOUSE BILL

HB 1412: A BILL for an Act to amend and reenact sections 57-36-01, 57-36-02, 57-36-04, 57-36-05, 57-36-09, and 57-36-09.1 of the North Dakota Century Code, relating to licensing requirements and the sale of electronic smoking devices; 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 58 YEAS, 35 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Dakane; Davis; Dobervich; Dyk; Fegley; Finley-DeVille; Hager; Hanson; Hatlestad; Heinert; Ista; Johnson, J.; Jonas; Karls; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Martinson; McLeod; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Stemen; Strinden; Swiontek; VanWinkle; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, K.; Bellew; Christensen; Cory; Dockter; Fisher; Frelich; Grueneich; Hagert; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Kasper; Koppelman; Louser; Marschall; Meier; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Steiner; Thomas; Timmons; Toman; Tveit; Vetter

ABSENT AND NOT VOTING: Kempenich

HB 1412 passed.

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SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to a small business diversity revolving loan fund; to provide a continuing appropriation; to provide an appropriation; and to provide a

transfer.

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 20 YEAS, 73 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boschee; Conmy; Cory; Dakane; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Ista; McLeod; Meier; Mitskog; Mock; Rohr; Schauer; Schneider; Schreiber-Beck; Steiner; Swiontek

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Brandenburg; Christensen; Christy; 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; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schobinger; Stemen; Strinden; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Kempenich

HB 1420 failed.

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SECOND READING OF HOUSE BILL

HB 1454: A BILL for an Act to amend and reenact subsection 2 of section 6-09.18-01 and sections 6-09.18-02, 6-09.18-03, 6-09.18-04, 6-09.18-05, 6-09.18-06, and 6-09.18-07 of the North Dakota Century Code, relating to innovation technology grants.

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

YEAS: Hager

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; 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; 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.

ABSENT AND NOT VOTING: Kempenich

HB 1454 failed.

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SECOND READING OF HOUSE BILL

HB 1460: A BILL for an Act to create and enact chapter 34-06.2, a new section to chapter 57-38, and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to a paid family medical leave program and an income tax credit for contributions paid into the paid family medical leave fund on behalf of eligible employees; to provide an appropriation; to provide for a transfer; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 77 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boschee; Christy; Conmy; Dakane; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Ista; Mitskog; Mock; Richter; Roers Jones; Schneider; Warrey

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; 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; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Rios; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Kempenich

HB 1460 failed.

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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 1189, HB 1195, HB 1234, HB 1263, HB 1264, HB 1355, HB 1444.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2169, SB 2258, SB 2359.

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 12:30 p.m., Friday, February 3, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1047: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1047 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1148: Agriculture Committee (Rep. Thomas, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1148 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1258: Agriculture Committee (Rep. Thomas, Chairman) recommends **DO PASS** (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1258 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1281: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1281 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1289: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO PASS** (19 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1289 was placed on the

Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1295: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1295 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1303: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1303 was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike "Wine" and insert immediately thereafter "Diluted beverages or wine"

Page 1, line 15, remove the overstrike over "~~Wine~~"

Page 1, line 15, remove "Diluted beverages or wine"

Page 1, line 20, after "beverages" insert "in their original, unopened container which are"

Page 1, line 20, after "of" insert "distilled"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1336: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1336 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1375: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1375 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1383: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1383 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1389: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1389 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1438: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1438 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1439: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1439 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; to provide for"

Page 1, line 3, remove "application"

Page 1, line 3, replace "a retroactive" with "an"

Page 2, replace lines 11 through 16 with:

"**SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after December 31, 2022."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1451: 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 1451 was placed on the Sixth order on the calendar.

Page 2, line 26, replace "ten thousand" with "seven thousand four hundred ninety-six"

Page 5, line 13, replace "ten thousand" with "seven thousand four hundred ninety-six"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1475: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1475 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3009: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3009 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk