JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

* * * * *

Bismarck, February 6, 2023

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

The prayer was offered by Rep. Satrom, Jamestown.

The roll was called and all members were present except Representatives Bellew, Rohr, and M. Ruby.

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 Twenty-first Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 494, replace lines 42 through 45 with:

"REPORT OF STANDING COMMITTEE

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

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

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

MADAM PRESIDENT: Your signature is respectfully requested on: HB 1279.

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

MR. SPEAKER: The President has signed: HB 1279.

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

MADAM PRESIDENT: The Speaker has signed: HB 1279.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on February 6, 2023: HB 1279.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on February 6, 2023, I have signed the following: HB 1279.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to HB 1099, HB 1198, HB 1235, HB 1255, HB 1324, HB 1325, HB 1418, HB 1440, and HCR 3008.

HB 1099, HB 1198, HB 1235, HB 1255, HB 1324, HB 1325, HB 1418, HB 1440, and HCR 3008, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. BOSCH MOVED that HB 1513, which is on the Eleventh order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, HB 1513 was rereferred.

MOTION

REP. BOSCH MOVED that HB 1439, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1410: A BILL for an Act to amend and reenact section 12.1-14-01 of the North Dakota Century Code, relating to prosecution and punishment for the offense of official oppression by the intrusive touching of persons seeking access to passenger aircraft transportation; 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 26 YEAS, 66 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, K.; Christensen; Dyk; Frelich; Hauck; Headland; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Kasper; Koppelman; Marschall; McLeod; Olson, S.; Prichard; Rios; Ruby, D.; Schatz; Steiner; Timmons; Toman; VanWinkle; Vigesaa

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

ABSENT AND NOT VOTING: Bellew; Ruby, M.

HB 1410 failed.

****

SECOND READING OF HOUSE BILL

HB 1428: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to law enforcement canine team certification.

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 9 YEAS, 83 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Dakane; Hanson; Hauck; Ista; Mock; Roers Jones; Schatz; Schneider; Steiner

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

ABSENT AND NOT VOTING: Bellew; Ruby, M.

HB 1428 failed.

****

SECOND READING OF HOUSE BILL

HB 1262: A BILL for an Act to amend and reenact subsection 9 of section 44-04-18.7 of the North Dakota Century Code, relating to exempt records and body camera images.

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 78 YEAS, 14 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; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, K.; Christensen; Hauck; Headland; Heilman; Henderson; Hoverson; Monson; Motschenbacher; Rios; Schatz; Steiner; VanWinkle; Vetter

ABSENT AND NOT VOTING: Bellew; Ruby, M.

HB 1262 passed.

****

SECOND READING OF HOUSE BILL

HB 1490: A BILL for an Act to amend and reenact section 12.1-32-07.4 of the North Dakota Century Code, relating to presumptive probation; 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 92 YEAS, 0 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; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; 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: Bellew; Ruby, M.

HB 1490 passed.

****

SECOND READING OF HOUSE BILL

HB 1269: A BILL for an Act to amend and reenact section 12.1-17-13 of the North Dakota Century Code, relating to a mandated intervention program for domestic violence offenders; 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 88 YEAS, 4 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; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heilman; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson;

Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Hauck; Henderson; Schatz; Vetter

ABSENT AND NOT VOTING: Bellew; Ruby, M.

HB 1269 passed.

****

SECOND READING OF HOUSE BILL

HB 1399: A BILL for an Act to amend and reenact section 54-44-16 of the North Dakota Century Code, relating to oil and gas tax revenue hedging; to provide an appropriation; to provide a continuing appropriation; to provide for a transfer; to provide a statement of legislative intent; 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 NOT PASS, the roll was called and there were 27 YEAS, 65 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Boschee; Brandenburg; Christensen; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Hanson; Ista; Johnson, J.; Kasper; Kempenich; Koppelman; Kreidt; Louser; Marschall; Mitskog; Mock; Nelson; Prichard; Pyle; Roers Jones; Schneider; Schreiber-Beck; Timmons

NAYS: Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Christy; Conmy; Cory; Dakane; Davis; Fisher; Frelich; Grueneich; Hager; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Jonas; Karls; Kiefert; Klemin; Lefor; Longmuir; Martinson; McLeod; Meier; Monson; Motschenbacher; Murphy; Nathe; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Richter; Rios; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schobinger; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew; Ruby, M.

HB 1399 failed.

****

SECOND READING OF HOUSE BILL

HB 1284: A BILL for an Act to amend and reenact section 32-03.3-02 of the North Dakota Century Code, relating to liability limitations of charitable organizations; to provide an effective date; 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 93 YEAS, 0 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; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman;

Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1284 passed and the emergency clause was declared carried.

****

SECOND READING OF HOUSE BILL

HB 1125: A BILL for an Act to amend and reenact section 6-09.4-23 of the North Dakota Century Code, relating to withholding school district state aid payments and the school district credit enhancement 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 93 YEAS, 0 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; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1125 passed.

****

SECOND READING OF HOUSE BILL

HB 1392: A BILL for an Act to create and enact two new sections to chapter 15-10 of the North Dakota Century Code, relating to the authority to deposit money into institution accounts at the Bank of North Dakota.

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

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1392 passed.

****

SECOND READING OF HOUSE BILL

HB 1178: A BILL for an Act to amend and reenact section 15-20.2-04 of the North Dakota Century Code, relating to the appointment of additional community members to career and technology center boards.

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; 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; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; 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: Heilman; Prichard; Timmons

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1178 passed.

****

SECOND READING OF HOUSE BILL

HB 1470: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to back-to-college grants; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 67 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Boschee; Christy; Conmy; Cory; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Ista; Mitskog; Mock; Nelson; O'Brien; Pyle; Richter; Rios; Roers Jones; Sanford; Satrom; Schneider; Schreiber-Beck; Steiner; Swiontek; Warrey

NAYS: Anderson, B.; Anderson, K.; Bahl; Beltz; Bosch; Brandenburg; Christensen; Dakane; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Monson; Motschenbacher; Murphy; Nathe; Novak; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Rohr; Ruby, D.; Ruby, M.; Schatz; Schauer; Schobinger; Stemen; Strinden; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1470 failed.

****

SECOND READING OF HOUSE BILL

HB 1310: A BILL for an Act to create and enact a new section to chapter 47-04.1 of the North Dakota Century Code, relating to electric vehicle charging station installation in condominiums; 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 85 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; 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; Headland; Heilman; Heinert; Henderson; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, D.; Hauck; Holle; Kasper; Rios; Rohr; Steiner; VanWinkle

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1310 passed.

****

SECOND READING OF HOUSE BILL

HB 1221: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to professional transparency for health care practitioners.

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

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

NAYS: Anderson, K.; Christensen; Heilman; Henderson; Hoverson; Kasper; Kempenich; Kreidt; Monson; Motschenbacher; Prichard; Rios; Rohr; Ruby, D.; Steiner; Timmons; Toman; Vetter; Vigesaa; Weisz

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1221 passed.

****

SECOND READING OF HOUSE BILL

HB 1453: A BILL for an Act to create and enact a new section to chapter 29-08 of the North Dakota Century Code, relating to a uniform bail schedule initiative; and to provide for a legislative management report.

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 82 YEAS, 11 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; Headland; Heilman; Heinert; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Strinden; Swiontek; Thomas; Toman; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Hauck; Henderson; Holle; Hoverson; Kasper; Prichard; Schatz; Stemen; Timmons; Tveit; VanWinkle

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1453 passed.

****

SECOND READING OF HOUSE BILL

HB 1388: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to care for retired police dogs; to provide an appropriation; and to provide an expiration 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 75 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Anderson, K.; Brandenburg; Fegley; Fisher; Frelich; Henderson; Klemin; Kreidt; Monson; Nelson; Prichard; Rohr; Ruby, D.; Thomas; Timmons; Tveit; VanWinkle; Vigesaa

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1388 passed.

****

SECOND READING OF HOUSE BILL

HB 1495: A BILL for an Act to amend and reenact subsection 4 of section 40-05-24 of the North Dakota Century Code, relating to requirements for cities granting property tax incentives; 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 93 YEAS, 0 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; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier;

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

ABSENT AND NOT VOTING: Bellew

Engrossed HB 1495 passed and the emergency clause was declared carried.

****

SECOND READING OF HOUSE BILL

HB 1047: A BILL for an Act to amend and reenact section 50-24.1-29 of the North Dakota Century Code, relating to the requirement that health insurers provide certain information to 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 88 YEAS, 5 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; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; 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; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Dyk; Henderson; Prichard; Timmons; VanWinkle

ABSENT AND NOT VOTING: Bellew

HB 1047 passed.

****

SECOND READING OF HOUSE BILL

HB 1281: A BILL for an Act to repeal section 12.1-20-17 of the North Dakota Century Code, relating to willfully transferring body fluid containing the human immunodeficiency virus.

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 18 YEAS, 75 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boschee; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Finley-DeVille; Hager; Hanson; Hoverson; Ista; Kempenich; Mitskog; Mock; O'Brien; Schneider; Schreiber-Beck

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Brandenburg; Christensen; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; 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; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1281 failed.

****

SECOND READING OF HOUSE BILL

HB 1389: A BILL for an Act to amend and reenact section 37-15-02 of the North Dakota Century Code, relating to the provision of basic and long-term care to service members and veterans.

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, 3 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; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Ruby, D.; Ruby, M.; Steiner

ABSENT AND NOT VOTING: Bellew

HB 1389 passed.

****

SECOND READING OF HOUSE BILL

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.

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 14 YEAS, 79 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christensen; Fisher; Heilman; Henderson; Hoverson; Kasper; Motschenbacher; Prichard; Rios; Schatz; Timmons; Toman; VanWinkle; Vetter

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; 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; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1374 failed.

****

SECOND READING OF HOUSE BILL

HB 1383: A BILL for an Act to create and enact 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 the provision of an income tax credit for qualified compensation paid to an apprentice; 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 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; 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; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Bellew

HB 1383 passed.

****

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

MADAM PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1291, HCR 3011.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2161, SB 2230, SB 2246, SB 2261, SB 2271, SB 2286, SB 2289, SB 2299, SB 2325, SB 2327, SB 2336, SB 2343, SB 2349, SB 2354.

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 2183.

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, Ninth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, February 7, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1039: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1039 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1040: 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** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1040 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "an appropriation" with "for a study"

Page 11, remove lines 15 through 31

Page 12, remove lines 1 through 31

Page 13, replace lines 1 through 9 with:

"**SECTION 11. AMENDMENT.** Section 54-52-06 of the North Dakota Century Code is amended and reenacted as follows:

54-52-06. Employer's contribution to retirement plan - Report to the ~~legislative assembly~~employee benefits programs committee.

1. Each governmental unit shall contribute an amount equal to four and twelve-hundredths percent of the monthly salary or wage of a participating member. Governmental unit contributions increase by one percent of the monthly salary or wage of a participating member beginning with the monthly reporting period of January 2012; with an additional increase of one percent, beginning with the reporting period of January 2013; ~~and~~ with an additional increase of one percent, beginning with the monthly reporting period of January 2014; and with an additional increase of one percent, beginning with the monthly reporting period of January 2024. For a participating member who first enrolls after December 31, 2019, the governmental unit shall contribute an additional amount equal to one and fourteen-hundredths percent of the monthly salary or wage of the participating member.

2. For those members who elect to exercise their rights under section 54-52-17.14, the employing governmental unit, or in the case of a member not presently under covered employment the most recent employing governmental unit, shall pay the associated employer contribution. If the employee's contribution is paid by the governmental unit under subsection 3 of section 54-52-05, the employer unit shall contribute, in addition, an amount equal to the required employee's contribution. Each governmental unit shall pay the contribution monthly, or in the case of an election made pursuant to section 54-52-17.14 a lump sum, into the retirement fund from the governmental unit's funds appropriated for payroll and salary or any other funds available for these purposes. Any governmental unit failing to pay the contributions monthly, or in the case of an election made pursuant to section 54-52-17.14 a lump sum, or failing to otherwise comply with the board's established wage reporting or payroll reporting process requirements, is subject to a civil penalty of fifty dollars and, as interest, one percent of the amount due for each month of delay or fraction of a month after the payment became due. In lieu of assessing a civil penalty or one percent per month, or both, interest at the actuarial rate of return may be assessed for each month the contributions are delinquent. If contributions are paid within ninety days of the date the contributions became due, penalty and interest to be paid on delinquent contributions may be waived.

3. An employer is required to submit contributions for any past eligible employee who was employed after July 1, 1977, for which contributions were not made if the employee would have been eligible to become vested had the employee participated and if the employee elects to join the public employees retirement system. Employer contributions may not be assessed for eligible service that an employee has waived pursuant to subsection 1 of section 54-52-05.

4. ~~The~~Annually, the board shall report to ~~each session of the legislative assembly~~the employee benefits programs committee the contributions necessary, as determined by the actuarial study, to maintain the fund's actuarial soundness.

SECTION 12. AMENDMENT. Section 54-52-06 of the North Dakota Century Code is amended and reenacted as follows:

54-52-06. Employer's contribution to retirement plan - Report to the employee benefits programs committee.

~~1. Each~~

1. a. As determined by actuarial valuations, each state governmental unit shall contribute to the defined benefit plan an amount ~~equal to four and twelve-hundredths percent of the monthly salary or wage of a participating member. Governmental unit contributions increase by one percent of the monthly salary or wage of a participating member beginning with the monthly reporting period of January 2012; with an additional increase of one percent, beginning with the reporting period of January 2013; with an additional increase of one percent, beginning with the monthly reporting period of January 2014; and with an additional increase of one percent, beginning with the monthly reporting period of January 2024~~on a level percent of compensation basis for all main system defined benefit retirement plan employees and all defined contribution retirement plan employees sufficient under the actuarial valuation to meet both the normal cost plus the actuarially determined amount required to amortize the unfunded accrued liability of the main plan over a closed period of two hundred forty-six months, beginning January 1, 2026, and continuing through June 30, 2046. By November fifteenth of each even-numbered year the board shall publish the contribution rate required under this subsection. The board shall calculate this rate based on the July first actuarial report of that year.

b. Each participating political subdivision shall contribute an amount equal to eight and twelve-hundredths percent of the monthly salary or wage of a participating member.

c. For a participating member who first enrolls after December 31, 2019, ~~the governmental unit~~a participating political subdivision shall contribute an additional amount equal to one and fourteen-hundredths percent of the monthly salary or wage of the participating member.

2. For those members who elect to exercise their rights under section 54-52-17.14, the employing governmental unit, or in the case of a member not presently under covered employment the most recent employing governmental unit, shall pay the associated employer contribution. If the employee's contribution is paid by the governmental unit under subsection 3 of section 54-52-05, the employer unit shall contribute, in addition, an amount equal to the required employee's contribution. Each governmental unit shall pay the contribution monthly, or in the case of an election made pursuant to section 54-52-17.14 a lump sum, into the retirement fund from the governmental unit's funds appropriated for payroll and salary or any other funds available for these purposes. Any governmental unit failing to pay the contributions monthly, or in the case of an election made pursuant to section 54-52-17.14 a lump sum, or failing to otherwise comply with the board's established wage reporting or payroll reporting process requirements, is subject to a civil penalty of fifty dollars and, as interest, one percent of the amount due for each month of delay or fraction of a month after the payment became due. In lieu of assessing a civil penalty or one percent per month, or both, interest at the actuarial rate of return may be assessed for each month the contributions are delinquent. If contributions are paid within ninety days of the date the contributions became due, penalty and interest to be paid on delinquent contributions may be waived.

3. An employer is required to submit contributions for any past eligible employee who was employed after July 1, 1977, for which contributions were not made if the employee would have been eligible to become vested had the employee participated and if the employee elects to join the public employees retirement system. Employer contributions may not

be assessed for eligible service that an employee has waived pursuant to subsection 1 of section 54-52-05.

4. Annually, the board shall report to the employee benefits programs committee the contributions necessary, as determined by the actuarial study, to maintain the fund's actuarial soundness."

Page 30, remove lines 29 through 31

Page 31, replace lines 1 through 5 with:

"**SECTION 32. LEGISLATIVE MANAGEMENT STUDY - PUBLIC EMPLOYEES RETIREMENT SYSTEM RETIREMENT PLAN.** During the 2023-24 interim, the legislative management shall study the public employees retirement system main system plan, including funding options and contributions by political subdivisions. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 33. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO PUBLIC EMPLOYEES RETIREMENT SYSTEM FUND. The office of management and budget shall transfer $240,000,000 from the strategic investment and improvements fund to the public employees retirement system fund, for the purpose of reducing the unfunded liability of the public employees retirement system main system plan, during the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 31, line 6, after "54-52-06" insert ", as amended under section 12 of this Act,"

Page 31, line 7, replace "2025" with "2026"

Page 31, line 8, replace "2022" with "2024"

Page 31, line 9, after the second comma insert "11, 32"

Page 31, line 9, replace "31" with "33"

Page 31, line 10, replace ", and" with a semicolon

Page 31, line 10, replace "30" with "10, sections 13 through 23"

Page 31, line 10, replace "section 32" with "sections 25 through 31"

Page 31, line 11, after "2025" insert "; and sections 12, 24, and 34 of this Act become effective January 1, 2026"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1211: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1211 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subdivision g of"

Page 1, replace lines 5 through 10 with:

"**SECTION 1. AMENDMENT.** Subsection 1 of section 57-02-08.1 of the North Dakota Century Code is amended and reenacted as follows:

1. a. Any person sixty-five years of age or older or permanently and totally disabled, in the year in which the tax was levied, with an income that does not exceed the limitations of subdivision c is entitled to receive

a reduction in the assessment on the taxable valuation on the person's homestead. An exemption under this subsection applies regardless of whether the person is the head of a family.

b. The exemption under this subsection continues to apply if the person does not reside in the homestead and the person's absence is due to confinement in a nursing home, hospital, or other care facility, for as long as the portion of the homestead previously occupied by the person is not rented to another person.

c. The exemption must be determined according to the following schedule:

(1) If the person's income is not in excess of ~~twenty-two~~twenty-nine thousand dollars, a reduction of one hundred percent of the taxable valuation of the person's homestead up to a maximum reduction of ~~five~~seven thousand ~~six~~four hundred twenty-five dollars of taxable valuation.

(2) If the person's income is in excess of ~~twenty-two~~twenty-nine thousand dollars and not in excess of ~~twenty-six~~thirty-four thousand dollars, a reduction of eighty percent of the taxable valuation of the person's homestead up to a maximum reduction of ~~four~~five thousand ~~five~~eight hundred fifty dollars of taxable valuation.

(3) If the person's income is in excess of ~~twenty-six~~thirty-four thousand dollars and not in excess of ~~thirty~~forty-four thousand dollars, a reduction of sixty percent of the taxable valuation of the person's homestead up to a maximum reduction of ~~three~~four thousand ~~three~~five hundred ~~seventy-five~~ dollars of taxable valuation.

(4) If the person's income is in excess of ~~thirty~~forty-four thousand dollars and not in excess of ~~thirty-four~~fifty-seven thousand dollars, a reduction of forty percent of the taxable valuation of the person's homestead up to a maximum reduction of two thousand ~~two~~nine hundred ~~fifty~~twenty-five dollars of taxable valuation.

(5) If the person's income is in excess of ~~thirty-four~~fifty-seven thousand dollars and not in excess of ~~thirty-eight~~seventy-four thousand dollars, a reduction of twenty percent of the taxable valuation of the person's homestead up to a maximum reduction of one thousand ~~one~~five hundred ~~twenty-five~~seventy-five dollars of taxable valuation.

(6) If the person's income is in excess of ~~thirty-eight~~seventy-four thousand dollars and not in excess of ~~forty-two~~ninety-six thousand dollars, a reduction of ten percent of the taxable valuation of the person's homestead up to a maximum reduction of ~~five~~nine hundred ~~sixty-three~~ dollars of taxable valuation.

(7) On January first of each year, the tax commissioner shall prescribe new income limitations that apply in lieu of the income limitations provided in paragraphs 1 through 6 by adjusting the income limitations applicable to the previous taxable year by the consumer price index. For purposes of this paragraph, "consumer price index" means the percentage change in the consumer price index for all urban consumers in the midwest region as determined by the United States department of labor, bureau of labor statistics, for the most recent year ending December thirty-first.

d. Persons residing together, as spouses or when one or more is a dependent of another, are entitled to only one exemption between or among them under this subsection. Persons residing together, who are not spouses or dependents, who are co-owners of the property are each entitled to a percentage of a full exemption under this subsection equal to their ownership interests in the property.

e. This subsection does not reduce the liability of any person for special assessments levied upon any property.

f. Any person claiming the exemption under this subsection shall sign a verified statement of facts establishing the person's eligibility. Any income information contained in the statement of facts is a confidential record.

g. ~~A person is ineligible for the exemption under this subsection if the value of the assets of the person and any dependent residing with the person exceeds five hundred thousand dollars, including the value of any assets divested within the last three years.~~

~~h.~~ The assessor shall attach the statement filed under subdivision f to the assessment sheet and shall show the reduction on the assessment sheet.

~~i.~~h. An exemption under this subsection terminates at the end of the taxable year of the death of the applicant."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1436: Agriculture Committee (Rep. Thomas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1436 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "has been" with "is"

Page 3, line 3, remove "an"

Page 3, line 3, remove the overstrike over "~~in~~"

Page 3, line 3, remove the overstrike over the first "~~the~~"

Page 3, line 6, remove "representative"

Page 3, line 9, overstrike "subsection" and insert immediately thereafter "section"

Page 3, line 22, after "secretary-treasurer" insert an underscored comma

Page 3, line 22, replace the first "December 31, 2023" with "June 30, 2024"

Page 3, line 22, replace the second "December 31, 2023" with "June 30, 2024"

Page 3, line 24, remove "two-year"

Page 3, line 25, replace "December 31, 2025" with "June 30, 2026"

Page 3, line 27, remove "three-year"

Page 3, line 28, replace "December 1, 2026" with "June 30, 2027"

Page 3, line 30, remove "one-year"

Page 3, line 31, replace "December 31, 2024" with "June 30, 2025"

Page 4, line 3, replace "January 1, 2024" with "July 1, 2024"

Page 4, line 4, replace "January 11, 2024" with "July 1, 2024"

Page 4, line 12, replace "January 1, 2024" with "July 1, 2024"

Page 4, line 18, replace "January 1, 2024" with "July 1, 2024"

Page 6, line 11, after "service" insert "or the director's designee"

Page 6, line 12, after the underscored period insert "The director may compile a list and determine eligible voters from public livestock markets, the commission, or other means necessary."

Page 6, line 15, after "that" insert "fiscal"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1462: Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1462 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections 28-34-01 and" with "section"

Page 1, line 2, remove "local"

Page 1, line 3, remove "governing body and"

Page 1, remove lines 5 through 24

Page 2, remove lines 1 through 21

Page 2, line 26, remove "1."

Page 2, line 27, after "aggrieved" insert "within thirty days after service of notice of an order or decision by publication in the manner provided by rule 4 of the North Dakota Rules of Civil Procedure"

Page 3, remove lines 5 through 7

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1486: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1486 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3007: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3007 was placed on the Tenth order on the calendar.

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

Buell J. Reich, Chief Clerk