JOURNAL OF THE HOUSE

Sixty-eighth Legislative Assembly

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Bismarck, March 13, 2023

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

The prayer was offered by Pastor Shaun Breiland, CrossPoint Wesleyan Church, Watford City.

The roll was called and all members were present except Representative Christy.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. HANSON rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE HANSON

MR. SPEAKER: Congratulations to the Fargo North Spartans, the 2023 Class A boys basketball state champions, and to the Fargo North-South Spruins, state champs for girls hockey!

Although the Fargo North Spartans' boys basketball team is young– they only have two seniors – they took down the previously undefeated Bismarck Century team in the semi-finals to make it to the championship game. Then this past Saturday, they secured the big win against the Red River Roughriders.

Two brothers - Matthew and Jeremiah Sem – led the way, chalking up a combined 51 points in the championship game. The Spartans survived a furious comeback attempt by the Roughriders, with each team trading leads in the final few minutes of the game. After this tense back and forth, Matthew Sem clinched the deal with a slam dunk with 14 seconds remaining.

I want to extend a special congratulations to Fargo North's head coach Travis Hoeg. This his first year as head coach and he recently lost his father, so I'm sure he appreciated the strong support and sense of family among northsiders during the highs and the lows of the past few months.

Additionally, big congratulations go out to the Fargo North-South girls' hockey team, who secured another state championship the previous weekend. This is the second state title in a row for this new co-op team – whose team name is Spruins, a merger of the two schools' mascots. The heroes of that championship game were Kate McComb, who scored the game-winning goal while dealing with a skate issue just moments before, and goaltender Savannah Wuitschick who fended off 20 shots from Fargo Davies.

Congratulations to ALL the teams in these two tournaments for their hard work this season. And big cheers to my own kids' school, the Fargo North Spartans, for delivering their fifth boys basketball title for the northside - plus yet another girls hockey title along with Fargo South!

Thank you, Mr. Speaker.

POINT OF PERSONAL PRIVILEGE

REP. ISTA rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE ISTA

MR. SPEAKER: Thank you, Mr. Speaker.

Today I rise to congratulate the Grand Forks Red River girls basketball team on their first state basketball championship since 1988.

On Saturday night, the Roughriders defeated a very talented Bismarck Century team 61-48. Junior guard Jocelyn Schiller led the team with 34 points to set a championship game record. As one of Jocelyn's opponents noted after the game "there was no stopping her." But Schiller's offensive outburst wouldn't have been enough on its own without the Roughriders' suffocating team defense. As head coach Kent Ripplinger said, this was "the hardest working team around."

So congratulations to Coach Ripplinger and the entire Roughriders squad on your state basketball championship. And congratulations, too, to Coach Kirby Krefting and the Red River boys basketball team for their outstanding runner-up finish this season. Your community is very proud of all you've achieved.

Thank you, Mr. Speaker.

REQUEST

REP. BOSCHEE REQUESTED that the remarks of the two previous speakers be printed in the Journal, which request was granted.

SIXTH ORDER OF BUSINESS

SPEAKER D. JOHNSON DEEMED approval of the amendments to HCR 3019, HCR 3020, HCR 3024, HCR 3031, and HCR 3033.

HCR 3019, HCR 3020, HCR 3024, HCR 3031, and HCR 3033, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE AND SENATE RESOLUTIONS ON CONSENT CALENDAR

HCR 3022: A concurrent resolution directing the Legislative Management to consider studying and clarifying the roles of the State Board of Public School Education, the Superintendent of Public Instruction, the boards of public school districts, and the North Dakota High School Activities Association, as they relate to proper spectator conduct, including the clarification of expectations and consequences for violating those expectations, and the promotion of good sportsmanship and good citizenship, including embracing diversity.

HCR 3023: A concurrent resolution directing the Legislative Management to consider studying admission to the bar of this state by diploma privilege, including an examination of the barriers to retaining University of North Dakota law graduates in the state; an evaluation of the functionality of Wisconsin's diploma privilege, including any problems caused by diploma privilege; a risk assessment of the potential for decreased quality in the practice of law and increased client complaints against attorneys; an evaluation of alternative models, including apprenticeships, that may be used to determine attorney competence; and an examination of the University of North Dakota internal models of assessment that may be used to demonstrate attorney competence.

HCR 3025: A concurrent resolution directing the Legislative Management to consider studying the feasibility and desirability of renovating and constructing an addition to the Liberty Memorial Building or constructing a new building on the grounds of the state Capitol to serve as a new Supreme Court building.

HCR 3034: A concurrent resolution directing the Legislative Management to consider studying sustainable energy policies to maximize the economic viability of existing energy sources, assess future demands on electricity in the state, and determine the feasibility of advanced nuclear energy development and transmission in the state.

SCR 4008: A concurrent resolution urging the Postmaster General of the United States Postal Service to issue a postage stamp commemorating Theodore Roosevelt and the opening of the Theodore Roosevelt Presidential Library.

SCR 4016: A concurrent resolution directing the Legislative Management to consider studying the availability of adequately accessible housing in the state for individuals with mobility impairments or physical disabilities.

The question being on the final adoption of the resolutions, which have been read.

HCR 3022, HCR 3023, HCR 3025, HCR 3034, SCR 4008, and SCR 4016 were declared adopted on a voice vote.

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MOTION

REP. BOSCH MOVED that Engrossed SB 2048, which is on the Fourteenth order, be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Rep. Bosch's motion, Engrossed SB 2048 was rereferred.

MOTION

REP. BOSCH MOVED that SB 2214, SB 2223, and SCR 4015, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

MOTION

REP. BOSCH MOVED that HCR 3005, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

MOTION

REP. BAHL MOVED that the House reconsider its action whereby HCR 3032 failed to pass.

REQUEST

REP. MOCK REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby HCR 3032 failed to pass, the roll was called and there were 45 YEAS, 48 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bahl; Bosch; Boschee; Brandenburg; Conmy; Dakane; Davis; Dobervich; Dockter; Fegley; Finley-DeVille; Grueneich; Hager; Hagert; Hanson; Ista; Jonas; Kempenich; Koppelman; Louser; Marschall; Meier; Mitskog; Mock; Motschenbacher; Murphy; Nelson; O'Brien; Ostlie; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Schneider; Schobinger; Schreiber-Beck; Stemen; Swiontek; Thomas; Vetter; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bellew; Beltz; Christensen; Cory; Dyk; Fisher; Frelich; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Karls; Kasper; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Martinson; McLeod; Monson; Nathe; Novak; Olson, J.; Olson, S.; Porter; Prichard; Rios; Rohr; Ruby, D.; Satrom; Schatz; Schauer; Steiner; Strinden; Timmons; Toman; Tveit; VanWinkle; Vigesaa

ABSENT AND NOT VOTING: Christy

The motion failed on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2263: A BILL for an Act to amend and reenact sections 47-10.2-01, 47-10.2-02, 47-10.2-03, and 47-10.2-05 of the North Dakota Century Code, relating to escrow accounts.

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; 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: Christy

Engrossed SB 2263, as amended, passed.

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SECOND READING OF SENATE BILL

SB 2086: A BILL for an Act to amend and reenact section 50-06-44 of the North Dakota Century Code, relating to evidence-based alcohol and drug education programs and program certification.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; 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; 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: Christy; Prichard

SB 2086 passed.

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SECOND READING OF SENATE BILL

SB 2082: A BILL for an Act to amend and reenact sections 23-09-01, 23-09-03, 23-09-05, and 23-09-07 of the North Dakota Century Code, relating to food and lodging establishments and assisted living facilities.

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; 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: Christy

Engrossed SB 2082 passed.

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SECOND READING OF SENATE BILL

SB 2079: A BILL for an Act to amend and reenact section 50-06-06.3 of the North Dakota Century Code, relating to the department of health and human services maintaining a facility staff training system for the providers of community-based care on behalf of individuals with developmental disabilities.

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; 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: Christy

SB 2079 passed.

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SECOND READING OF SENATE BILL

SB 2125: A BILL for an Act to amend and reenact sections 23-06.5-06 and 23-06.5-17 of the North Dakota Century Code, relating to health care directive acceptance of appointment as agent.

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

YEAS: Anderson, B.; Anderson, D.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; 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; Pyle; Richter; Rios; Roers Jones; 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: Anderson, K.; Christensen; Heilman; Henderson; Motschenbacher; Porter; Prichard; Rohr; Timmons

ABSENT AND NOT VOTING: Christy

SB 2125 passed.

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SECOND READING OF SENATE BILL

SB 2162: A BILL for an Act to amend and reenact subdivision a of subsection 4 of section 57-51-15 and paragraph 1 of subdivision b of subsection 5 of section 57-51-15 of the North Dakota Century Code, relating to oil and gas gross production tax allocations

to counties.

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

NAYS: Frelich; Hoverson; Prichard; Ruby, D.; Tveit; Vigesaa; Weisz

ABSENT AND NOT VOTING: Christy

SB 2162 passed.

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SECOND READING OF SENATE BILL

SB 2099: A BILL for an Act to create and enact a new section to chapter 15.1-13 of the North Dakota Century Code, relating to information regarding minors in disciplinary records of the education standards and practices board.

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, 1 NAYS, 0 EXCUSED, 1 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; 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; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Schatz

ABSENT AND NOT VOTING: Christy

SB 2099 passed.

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SECOND READING OF SENATE BILL

SB 2028: A BILL for an Act to create and enact section 15.1-21-17.1 of the North Dakota Century Code, relating to interim assessment of students.

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 64 YEAS, 29 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Anderson, K.; Bellew; Christensen; Cory; Dyk; Frelich; Heilman; Henderson; Holle; Hoverson; Kasper; Kempenich; Koppelman; Kreidt; McLeod; Monson; Motschenbacher; Olson, S.; Prichard; Rios; Rohr; Ruby, D.; Schatz; Steiner; Toman; Tveit; VanWinkle; Vetter; Vigesaa

ABSENT AND NOT VOTING: Christy

Engrossed SB 2028 passed.

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SECOND READING OF SENATE BILL

SB 2167: A BILL for an Act to amend and reenact sections 15.1-23-02 and 15.1-23-15 of the North Dakota Century Code, relating to home education.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 2 NAYS, 0 EXCUSED, 1 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; Finley-DeVille; Fisher; Frelich; Grueneich; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Hager; VanWinkle

ABSENT AND NOT VOTING: Christy

SB 2167 passed.

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SECOND READING OF SENATE BILL

SB 2045: A BILL for an Act to amend and reenact sections 27-02.1-01, 27-02.1-02, 27-02.1-03, 27-02.1-04, 27-02.1-05, 27-02.1-06, 27-02.1-07, 27-02.1-08, and 27-02.1-09 of the North Dakota Century Code, relating to the temporary court of appeals; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO 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; Christensen; 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.

NAYS: Brandenburg

ABSENT AND NOT VOTING: Christy

SB 2045 passed.

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SECOND READING OF SENATE BILL

SB 2334: A BILL for an Act to amend and reenact subsection 2 of section 57-39.2-04.15 of the North Dakota Century Code, relating to a sales tax exemption for a fertilizer plant; 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 80 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dockter; Fegley; Finley-DeVille; 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; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Dobervich; Dyk; Heilman; Henderson; Hoverson; Prichard; Ruby, D.; Ruby, M.; Schatz; Toman; VanWinkle

ABSENT AND NOT VOTING: Christy

SB 2334, as amended, passed.

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SECOND READING OF SENATE BILL

SB 2092: A BILL for an Act to create and enact a new section to chapter 6-07.2 of the North Dakota Century Code, relating to voluntary liquidation of credit unions; to amend and reenact section 6-01-04.1 of the North Dakota Century Code, relating to the removal of officers, directors, and employees of financial corporations or institutions; to repeal chapter 6-06.1 of the North Dakota Century Code, relating to voluntary liquidation of credit unions; and to provide for a legislative management study.

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; 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: Christy

SB 2092, as amended, passed.

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SECOND READING OF SENATE BILL

SB 2062: A BILL for an Act to amend and reenact subsection 1 of section 4.1-53-48, subsection 3 of section 4.1-53-57, subsection 2 of section 4.1-53-61, subsection 2 of section 4.1-55-17, and section 4.1-57-22 of the North Dakota Century Code, relating to requirements for certification under the plant variety protection act; 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; 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: Christy

SB 2062 passed.

****

SECOND READING OF SENATE BILL

SB 2226: A BILL for an Act to amend and reenact section 16.1-06-09 of the North Dakota Century Code, relating to the required form for measures to amend the constitution and the manner of placing the measures on ballots.

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 6 YEAS, 87 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bellew; Henderson; Kasper; Porter; Timmons; Toman

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; 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; 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; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy

SB 2226 failed.

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SECOND READING OF SENATE BILL

SB 2350: A BILL for an Act to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to traffic signs.

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; Bellew; Beltz; Bosch; Boschee; Christensen; Conmy; Cory; Dakane; Davis; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hanson; Hatlestad; Hauck; Heilman; Heinert; Holle; 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; 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; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Brandenburg; Hagert; Headland; Henderson; Kasper; Vetter

ABSENT AND NOT VOTING: Christy

Engrossed SB 2350 passed.

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SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4007: A concurrent resolution directing the Legislative Management to consider studying the formation of a search and rescue volunteer association.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 13 YEAS, 80 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bellew; Boschee; Conmy; Davis; Dyk; Finley-DeVille; Hager; Hanson; Hauck; Mock; Nelson; Schneider; Weisz

NAYS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Brandenburg; Christensen; Cory; Dakane; Dobervich; Dockter; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; 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; Monson; Motschenbacher; Murphy; Nathe; 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; Speaker Johnson, D.

ABSENT AND NOT VOTING: Christy

SCR 4007 was declared lost on a recorded roll call vote.

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SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4003: A concurrent resolution congratulating the University of Jamestown women's volleyball team for its outstanding season and for securing the university's first National Association of Intercollegiate Athletics national championship.

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

SCR 4003 was declared adopted on a voice vote.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1072, HB 1082, HB 1099, HB 1187, HB 1247, HB 1449.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1495.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1045, HB 1088, HB 1137, HB 1434, HB 1459, HB 1490.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1045

Page 2, line 21, after "department" insert "of health and human services"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1088

Page 1, line 1, after "21-10-01" insert "and subsection 4 of section 21-10-11"

Page 1, line 2, after "board" insert "and the legacy and budget stabilization fund advisory board"

Page 1, line 16, overstrike "One member"

Page 1, line 17, replace "who has expertise in finance and" with "Two members, each of whom by experience is familiar with institutional"

Page 1, line 17, after "investments" insert an underscored comma

Page 1, line 18, replace "The" with "One initial"

Page 1, line 18, replace "five" with "three"

Page 1, line 18, after "years" insert ", and one initial appointee shall serve a term of five years. Subsequent appointees shall serve five-year terms"

Page 1, line 18, remove the overstrike over "~~and~~"

Page 1, line 20, remove "; and"

Page 1, remove line 21

Page 1, line 22, remove "by the legislative management"

Page 1, after line 22, insert:

"**SECTION 2. AMENDMENT.** Subsection 4 of section 21-10-11 of the North Dakota Century Code is amended and reenacted as follows:

4. The board consists of three members of the senate appointed by the senate majority leader, three members of the house of representatives appointed by the house majority leader, the president of the Bank of North Dakota or designee, the tax commissioner or designee, the ~~insurance commissioner~~director of the office of management and budget or designee, and the state treasurer or designee. The board shall select a member from the senate or house of representatives to serve as chairman for no more than one consecutive year and must meet at the call of the chairman."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1137

Page 1, line 7, replace the first "subsection" with "subsections 1 and"

Page 19, after line 15, insert:

"SECTION 16. AMENDMENT. Subsection 1 of section 27-20.3-06 of the North Dakota Century Code is amended and reenacted as follows:

1. A child alleged to be in need of protection may be taken into protective custody:

   a. Pursuant to an order of the court under this chapter;

   b. By a law enforcement officer or designee if there are reasonable grounds to believe the child:

      (1) ~~The child is~~Is suffering from illness or injury or is in immediate danger from the child's surroundings, and the child's removal is necessary; ~~or~~

      (2) ~~The child has~~Is in violation of a city or county curfew; or

      (3) Has run away from the child's parents, guardian, or other custodian; or

   c. By order of the director made pursuant to section 27-20.3-04."

Page 27, line 21, overstrike "27-20.3-03.1" and insert immediately thereafter "27-20.3-20"

Page 27, line 29, overstrike "27-20.3-09" and insert immediately thereafter "27-20.3-24"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1434

Page 2, line 28, remove "A person is not subject to civil or criminal liability as a result of providing written"

Page 2, remove line 29

Page 2, line 30, remove "section."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1459

Page 1, line 20, after "of" insert "the real property comprising"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1490

Page 1, line 2, remove "and"

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

Page 2, after line 2, insert:

"**SECTION 2. APPLICATION.** This Act applies to criminal charges filed after the effective date of this Act."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1237, HB 1248.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: Your signature is respectfully requested on: HB 1063, HB 1083, HB 1089, HB 1226, HB 1234, HB 1290, HB 1291, HB 1322, HB 1337, HB 1386, HB 1411, HB 1450, HB 1453.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2030, SB 2077, SB 2081, SB 2083, SB 2119, SB 2122, SB 2377.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1063, HB 1083, HB 1089, HB 1226, HB 1234, HB 1290, HB 1291, HB 1322, HB 1337, HB 1386, HB 1411, HB 1450, HB 1453.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SB 2030, SB 2077, SB 2081, SB 2083, SB 2119, SB 2122, SB 2377.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2030, SB 2077, SB 2081, SB 2083, SB 2119, SB 2122, SB 2377.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for filing on March 13, 2023: HCR 3004, HCR 3007, HCR 3008, HCR 3011.

MOTION

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

MOTION

REP. BOSCH MOVED that the House be on the Fourth, Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, March 14, 2023, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2061, as engrossed: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2061 was placed on the Sixth order on the calendar.

Page 1, line 18, remove the overstrike over "~~of~~"

Page 1, line 19, remove the overstrike over "~~good moral character~~"

Page 1, line 20, remove the overstrike over "~~For the purposes of this chapter, good moral character means the lack of a history of~~"

Page 1, remove the overstrike over lines 21 through 24

Page 2, remove the overstrike over lines 1 through 4

Page 2, line 5, remove the overstrike over "~~applicant's right of appeal.~~"

Page 2, line 5, remove "The board may not grant a certificate if the applicant has"

Page 2, remove lines 6 through 8

Page 3, line 7, remove the overstrike over "~~Meets the good moral character requirement of subsection 2;~~"

Page 3, line 8, remove the overstrike over "~~b.~~"

Page 3, line 13, remove the overstrike over "~~c.~~"

Page 3, line 13, remove "b."

Page 3, line 15, remove the overstrike over "~~d.~~"

Page 3, line 15, remove "c."

Page 3, line 17, remove the overstrike over "~~e.~~"

Page 3, line 17, remove "d."

Page 6, line 4, remove "at least sixty years of age,"

Page 6, line 8, remove ", at least sixty years of age,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2067: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2067 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2114: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2114 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2171: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO NOT PASS** (7 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). SB 2171 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2180, as engrossed: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO PASS** (8 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING). Engrossed SB 2180 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2233: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2233 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2241, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2241 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to repeal section 32-03-30 of the North Dakota Century Code, relating to damages for wrongful injuries to timber.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. REPEAL. Section 32-03-30 of the North Dakota Century Code is repealed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2297, as engrossed: 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). Engrossed SB 2297 was placed on the Sixth order on the calendar.

Page 1, line 2, after "license" insert "; and to declare an emergency"

Page 2, after line 2, insert:

"**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2364, as engrossed: 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). Engrossed SB 2364 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "water pipelines" with "facilities authorized by this chapter or the Dakota Water Resources Act of 2000 [Pub. L. 106-554, Sec. 1(a)(4) [div. B, title VI]; 114 Stat. 2763, 27931A-281] as amended"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2370, as engrossed: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO NOT PASS** (8 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2370 was placed on the Fourteenth order on the calendar.

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

Buell J. Reich, Chief Clerk