

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

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Bismarck, January 30, 2015

The House convened at 12:30 p.m., with Acting Speaker Devlin presiding.

The prayer was offered by Pastor Matt Thompson, Holy Cross Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Belter, Damschen, Klein, and Skarphol.

A quorum was declared by the Acting Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

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

Page 289, after line 25, insert:

**"MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: HB 1087."

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

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on January 30, 2015, I have signed the following: HB 1087.

**MOTION**

**REP. VIGESAA MOVED** that HB 1188, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

**MOTION**

**REP. VIGESAA MOVED** that HB 1256, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

**ACTING SPEAKER DEVLIN DEEMED** approval of the amendments to HB 1150, HB 1214, HB 1243, HB 1281, HB 1301, HB 1313, HB 1418, HB 1428, and HB 1434.

HB 1150, HB 1214, HB 1243, HB 1281, HB 1301, HB 1313, HB 1418, HB 1428, and HB 1434, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**SECOND READING OF HOUSE BILL**

**HB 1168:** A BILL for an Act 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock;

Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1168 passed.

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### SECOND READING OF HOUSE BILL

**HB 1303:** A BILL for an Act to amend and reenact section 15-10-17 of the North Dakota Century Code, relating to legislative authority to set tuition and fees at institutions of higher education.

### 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 59 YEAS, 31 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Headland; Hofstad; Johnson, M.; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Olson; Owens; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Seibel; Silbernagel; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz

**NAYS:** Amerman; Anderson, P.; Beadle; Boschee; Delmore; Frantsvog; Glassheim; Guggisberg; Haak; Hanson; Hawken; Hogan; Holman; Hunskor; Johnson, D.; Keiser; Kelsh; Maragos; Martinson; Mitskog; Mock; Mooney; Muscha; Onstad; Oversen; Paur; Schneider; Schreiber Beck; Strinden; Wallman; Zubke

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1303 passed.

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### SECOND READING OF HOUSE BILL

**HB 1099:** A BILL for an Act to create and enact section 43-06-17.1 of the North Dakota Century Code, relating to temporary suspension and appeal of chiropractors; and to amend and reenact subdivision a of subsection 2 of section 43-06-01, section 43-06-02, subsections 2 and 5 of section 43-06-04.1, sections 43-06-05, 43-06-08, 43-06-09, 43-06-10.1, 43-06-13, and 43-06-14.1, subdivision g of subsection 1 of section 43-06-15, and subsections 4 and 5 of section 43-06-15 of the North Dakota Century Code, relating to the practice of chiropractic.

### ROLL CALL

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson;

Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1099 passed.

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### SECOND READING OF HOUSE BILL

**HB 1163:** A BILL for an Act to create and enact chapter 51-36 of the North Dakota Century Code, relating to bad faith assertions of patent infringement; and to provide a penalty.

### ROLL CALL

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1163 passed.

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### SECOND READING OF HOUSE BILL

**HB 1202:** A BILL for an Act to amend and reenact section 34-14-09.2 of the North Dakota Century Code, relating to withholding of awarded paid time off; and to provide for application.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Johnson, M.; Porter

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1202 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1212:** A BILL for an Act to amend and reenact paragraph 3 of subdivision b of subsection 2 of section 52-04-07 and subdivision j of subsection 1 of section 52-06-02 of the North Dakota Century Code, relating to eligibility for unemployment compensation benefits for victims of stalking.

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Kasper; Keiser; Kelsh; Kiefert; Klemin; Koppelman, K.; Kreidt; Kretschmar; Larson; Lefor; Looyen; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Strinden; Sukut; Thoreson; Toman; Trotter; Vigasaa; Wallman; Zubke

**NAYS:** Becker, Rick C.; Bellew; Boehning; Brabandt; Dosch; Karls; Kempenich; Koppelman, B.; Laning; Louser; Rohr; Ruby; Schatz; Streyle; Weisz

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1212 passed.

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**MOTION**

**REP. VIGESAA MOVED** that HB 1346, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1335:** A BILL for an Act to create and enact sections 10-15-53.1, 10-15-53.2, 10-15-53.3, 10-19.1-146.1, 10-33-141.3, and 45-10.2-108.1 of the North Dakota Century Code, relating to the annual report of a cooperative, involuntary dissolution of a cooperative or revocation of certificate of authority of a foreign cooperative, the reinstatement of a cooperative or foreign cooperative following involuntary dissolution or revocation of certificate of authority, amendment of articles by a nonprofit corporation, involuntary dissolution of a nonprofit corporation or revocation of certificate of authority of a foreign nonprofit corporation, and involuntary dissolution of a limited partnership or revocation of certificate of authority for a foreign limited partnership; to amend and reenact section 10-01.1-11, subsections 9 and 10 of section 10-06.1-17, subsection 5 of section 10-15-08.1, subsection 2 of section 10-15-52.7, sections 10-15-53, 10-15-54, and 10-19.1-17, subsection 4 of section 10-19.1-148, section 10-33-14, subsection 4 of section 10-33-141, subsection 7 of section 10-34-04, subsection 7 of section 45-10.2-24, subsection 1 of section 45-10.2-25, section 45-11-05.1, subsection 4 of section 45-22-03, section 45-22-16, subsection 15 of section 45-23-08 of the North Dakota Century Code, relating to the resignation of registered agent, contents of an annual report of a farm corporation or limited liability company, a cooperative filing documents with the secretary of state, fees paid by cooperatives, amendment of articles by a business corporation, amendment of articles by a nonprofit corporation, real estate investment trusts, an address change of a limited partnership, the signature requirements on documents filed with the secretary of state by a limited partnership, the fictitious name certificate, an address change of a limited liability partnership, revocation of the registration of a limited liability partnership or foreign limited liability partnership, and the fee to file the registration of a foreign limited liability limited partnership; and to repeal sections 10-15-36, 10-19.1-141, 10-33-134, and 45-10.2-87 of the North Dakota Century Code, relating to the annual report of a cooperative, revocation of the certificate of authority of a foreign corporation, revocation of the certificate of authority of a foreign nonprofit

corporation, and revocation of the certificate of authority of a foreign limited partnership.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1335 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1211:** A BILL for an Act to amend and reenact subsection 5 of section 44-06.1-01, section 44-06.1-17, subsections 6 and 7 of section 44-06.1-23, and section 44-06.1-27 of the North Dakota Century Code, relating to notarial acts, notary commissions, and notary public name changes.

#### ROLL CALL

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1211 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1225:** A BILL for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to the age of consumption of alcoholic beverages by military personnel on military installations.

#### 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 23 YEAS, 67 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, D.; Becker, Rich S.; Boehning; Brabandt; Dockter; Dosch; Hanson; Headland; Kelsh; Kempenich; Maragos; Martinson; Mock; Mooney; Muscha; Nelson, J.; Olson; Owens; Streyle; Strinden; Thoreson; Trottier

**NAYS:** Anderson, B.; Anderson, P.; Beadle; Becker, Rick C.; Bellew; Boe; Boschee; Brandenburg; Carlson; Delmore; Delzer; Devlin; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hatlestad; Hawken; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Meier; Mitskog; Monson; Nathe; Nelson, M.; Onstad; Oversen; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Sukut; Toman; Vigesaa; Wallman; Weisz; Zubke

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1225 failed.

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### SECOND READING OF HOUSE BILL

**HB 1338:** A BILL for an Act to amend and reenact subsections 3 and 4 of section 14-07.1-20 of the North Dakota Century Code, relating to required disclosure of records to the domestic violence fatality review commission.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 1 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Becker, Rick C.

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

Engrossed HB 1338 passed.

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### SECOND READING OF HOUSE BILL

**HB 1383:** A BILL for an Act to create and enact section 15.1-07-14 of the North Dakota Century Code, relating to qualified electors for purposes of school district bond elections.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 78 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Boe; Brabandt; Brandenburg; Fehr; Headland; Kading; Kempenich; Nelson, J.; Oversen; Porter; Weisz

**NAYS:** Amerman; Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken;

Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Karls; Kasper; Keiser; Kelsh; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, M.; Olson; Onstad; Owens; Paur; Pollert; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Zubke

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

HB 1383 failed.

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### SECOND READING OF HOUSE BILL

**HB 1402:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to exempting information regarding individuals applying for certain North Dakota university system and school district positions.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 78 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rich S.; Delmore; Guggisberg; Holman; Maragos; Monson; Nelson, J.; Nelson, M.; Oversen; Owens; Strinden; Wallman

**NAYS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Martinson; Meier; Mitskog; Mock; Mooney; Muscha; Nathe; Olson; Onstad; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Zubke

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

HB 1402 failed.

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### SECOND READING OF HOUSE BILL

**HB 1264:** A BILL for an Act to create and enact a new subsection to section 44-04-18.7 of the North Dakota Century Code, relating to exempting law enforcement officer body camera images from open records requirements.

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Frantsvog; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke

**NAYS:** Bellew; Rohr; Ruby

**ABSENT AND NOT VOTING:** Damschen; Klein; Skarphol; Speaker Belter

HB 1264 passed.

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**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2047, SB 2102, SB 2152.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2103.

**MOTION**

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

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, February 2, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1033: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1033 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1067: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (20 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1067 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1073: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1073 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 provide for a legislative management study.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY OF REQUIRED MOTOR VEHICLE INSURANCE.** During the 2015-16 interim, the legislative management shall consider studying required motor vehicle insurance. The study must include a review of the limits on no-fault benefits. The legislative management shall report its findings and recommendations, together with any legislation to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1137: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1137 was placed on the Sixth order on the calendar.

Page 6, line 22, remove the first "lines"

Page 6, line 22, remove the second "lines"



Page 6, after line 25, insert:

"c. May include projects related to revitalization of community infrastructure."

Page 7, line 5, after the underscored period insert "Priority for projects must be related to new growth and to revitalized infrastructure."

Page 7, line 6, replace "six" with "four"

Page 7, line 7, replace "twenty" with "fifteen"

Page 7, line 9, replace "that exceeded" with "up to"

Page 7, line 10, remove "and did not exceed six percent"

Page 7, line 11, replace "fifteen" with "ten"

Page 7, remove lines 12 through 17

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1159: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1159 was placed on the Sixth order on the calendar.

Page 1, line 21, overstrike "such"

Page 1, line 21, overstrike the first comma

Page 1, line 21, after "its" insert "deemed necessary for the administration of this title to"

Page 1, line 22, overstrike "such"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1195: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1195 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 amend and reenact subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to carrying of a firearm concealed in a school.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1. AMENDMENT.** Subsection 2 of section 62.1-02-05 of the North Dakota Century Code is amended and reenacted as follows:

2. This section does not apply to:
  - a. A law enforcement officer;₂
  - b. A member of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organizations, when on duty;₂
  - c. A competitor participating in an organized sport shooting event;₂
  - d. A gun or antique show;₂

- e. A participant using a blank cartridge firearm at a sporting or theatrical event;\_
- f. A firearm or dangerous weapon carried in a temporary residence or motor vehicle;\_
- g. A student and an instructor at a hunter safety class;\_
- h. Private security personnel while on duty;\_
- i. A state or federal park;\_
- j. An instructor, a test administrator, an official, or a participant in educational, training, cultural, or competitive events involving the authorized use of a dangerous weapon if the event occurs with permission of the person or entity with authority over the function or premises in question;\_
- k. An individual twenty-one years or older possessing a valid concealed weapons license from this state is authorized to carry a firearm concealed on school property, if the individual is on private school property and has the approval of the private school to carry a firearm concealed or if the individual is on public school property and has the approval of the public school to carry a firearm concealed. The approval of a private or public school must provide for the individual to cooperate in training with local law enforcement for school emergencies to provide a coordinated plan of protection. The school shall require additional training that emphasizes strategies for preventing school shootings and for securing the safety of potential victims of school shootings; educates a trainee about legal issues relating to the duties of peace officers and the use of force or deadly force in the protection of others; introduces the trainee to effective law enforcement strategies and techniques; improves the trainee's proficiency with a handgun; and enables the trainee to respond to an emergency situation requiring deadly force, including a situation involving an active shooter. The school shall require an examination to determine whether the trainee is psychologically fit to appropriately respond in an emergency shooting or situation involving an active shooter. Approval for an individual to carry a firearm concealed under this subdivision may be granted as part of a confidential security or emergency plan. If any school authorizes an individual to carry a firearm concealed, the school shall inform local law enforcement of the name of the authorized individual and law enforcement must maintain that information as confidential. Any information provided by the individual to the school as part of this authorization which is not part of a public meeting and any information provided by the individual or the school to local law enforcement may not be disclosed to the public by either the school or local law enforcement and that information is exempt from section 44-04-18. The school is immune from civil liability for any acts or omissions made while implementing this subsection.
- l. An individual possessing a valid class 1 concealed weapons license from this state or who has reciprocity under section 62.1-04-03.1 authorizing the individual to carry a dangerous weapon concealed if the individual is in a church building or other place of worship and has the approval to carry in the church building or other place of worship by a primary religious leader of the church or other place of worship or the governing body of the church or other place of worship. If a church or other place of worship authorizes an individual to carry a concealed weapon, local law enforcement must be informed of the name of the authorized individual;\_and\_
- m. A municipal court judge, a district court judge, a staff member of the office of attorney general, and a retired North Dakota law

enforcement officer, if the individual maintains the same level of firearms proficiency as is required by the peace officer standards and training board for law enforcement officers. A local law enforcement agency shall issue a certificate of compliance under this section to an individual who is proficient."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1213: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1213 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "person" and insert immediately thereafter "individual"

Page 1, line 8, overstrike "person" and insert immediately thereafter "individual"

Page 1, line 9, replace "A person" with "An individual"

Page 1, line 9, replace the first "for" with "to serve in"

Page 1, line 10, remove "person:"

Page 1, line 11, replace "a. Has" with "individual has"

Page 1, line 11, remove the underscored semicolon

Page 1, remove line 12

Page 1, line 13, replace "c. Is delinquent on any local, state, or federal taxes or special assessments" with "within the past fifteen years"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1251: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1251 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "a"

Page 1, line 1, replace "sections" with "section"

Page 3, remove lines 11 through 17

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1270: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1270 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1297: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1297 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1315: Education Committee (Rep. Nathe, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1315 was placed on the Sixth order on the calendar.

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

Page 2, line 23, replace the first "and" with ". If the superintendent determines that all reasonable efforts have been unsuccessful, the superintendent may authorize the board to increase the level of compensation for the vacant position in order to attract a suitable and highly qualified individual"

Page 2, line 24, remove ". may increase the level of compensation for the vacant"

Page 2, line 25, remove "position in order to attract a suitable and highly qualified individual"

Page 3, after line 5, insert:

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

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1329: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1329 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1342: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1342 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**HB 1349: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1349 was placed on the Sixth order on the calendar.

Page 1, line 24, remove "in Dunn."

Page 2, line 1, remove "McKenzie, Mountrail, and Williams counties"

Page 2, line 1, replace "After June 30, 2017, the" with "The"

Page 2, line 1, replace "may" with "must"

Page 2, line 3, remove "designated by the industrial"

Page 2, line 4, remove "commission"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1438: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1438 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1449: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1449 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**