

JOURNAL OF THE HOUSE

Sixty-fifth Legislative Assembly

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Bismarck, January 31, 2017

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

The prayer was offered by Pastor Allen Finger, Bismarck Baptist Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Oklahoma State Rep. Mark McBride

APPOINTMENT

SPEAKER BELLEW APPOINTED to the House of Representatives Memorial Committee for the Sixty-Fifth Legislative Assembly: Rep. Rohr, Co-Chair; Rep. Karen Karls, Co-Chair; Rep. Sukut; Rep. Hogan; Rep. Holman; and Rep. Seibel.

SIXTH ORDER OF BUSINESS

SPEAKER BELLEW DEEMED approval of the amendments to HB 1024, HB 1029, HB 1108, HB 1150, HB 1200, HB 1249, HB 1294, and HB 1303.

HB 1024, HB 1029, HB 1108, HB 1150, HB 1200, HB 1249, HB 1294, and HB 1303, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1356: A BILL for an Act to amend and reenact subsection 7 of section 11-18-02.2 of the North Dakota Century Code, relating to recording statements of full consideration.

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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

HB 1356 passed.

SECOND READING OF HOUSE BILL

HB 1253: A BILL for an Act to create and enact a new section to chapter 15.1-12 of the North Dakota Century Code, relating to voluntary property transfers between school districts.

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 81 YEAS, 13 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Grueneich; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Pollert; Porter; Pyle; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Anderson, P.; Boe; Delzer; Ertelt; Guggisberg; Hanson; Kasper; Koppelman, B.; Meier; Monson; Olson; Paur; Rohr

HB 1253 passed.

MOTION

REP. KEMPENICH MOVED that the House reconsider its action whereby Engrossed HB 1163 failed to pass.

REQUEST

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

ROLL CALL

The question being on the motion to reconsider the action whereby Engrossed HB 1163 failed to pass, the roll was called and there were 54 YEAS, 40 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Delmore; Dobervich; Dockter; Ertelt; Guggisberg; Hanson; Hatlestad; Headland; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Kading; Keiser; Kempenich; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Porter; Pyle; Roers Jones; Ruby, D.; Ruby, M.; Schmidt; Schneider; Simons; Streyle; Toman; Weisz; Zubke

NAYS: Anderson, B.; Brandenburg; Carlson; Damschen; Delzer; Devlin; Grueneich; Heinert; Holman; Jones; Karls; Kasper; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Magrum; Meier; Monson; Olson; Paur; Pollert; Rohr; Sanford; Satrom; Schatz; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Trottier; Vetter; Vigesaa; Westlind; Speaker Bellew

The motion prevailed on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1163: A BILL for an Act to repeal chapter 12.1-30 of the North Dakota Century Code, relating to Sunday closing laws.

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 48 YEAS, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Delmore; Dobervich; Guggisberg; Hanson; Hatlestad; Headland; Hogan; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Kading; Keiser; Kempenich; Longmuir; Louser; Maragos; Marschall; Martinson; Mitskog; Mock; Nathe; Nelson, J.; O'Brien; Oliver; Porter; Pyle; Roers Jones; Ruby, D.; Ruby, M.;

Schmidt; Schneider; Simons; Streyle; Sukut; Toman; Weisz; Zubke

NAYS: Anderson, B.; Becker, Rich S.; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Heinert; Holman; Johnston; Jones; Karls; Kasper; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Magrum; McWilliams; Meier; Monson; Nelson, M.; Olson; Owens; Paur; Pollert; Rohr; Sanford; Satrom; Schatz; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Trottier; Vetter; Vigesaa; Westlind; Speaker Bellew

Engrossed HB 1163 passed.

SECOND READING OF HOUSE BILL

HB 1373: A BILL for an Act to amend and reenact section 49-21-01.3 of the North Dakota Century Code, relating to essential telecommunications 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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

HB 1373 passed.

SECOND READING OF HOUSE BILL

HB 1400: A BILL for an Act to create and enact a new section to chapter 54-44.4 of the North Dakota Century Code, relating to equal pay certificates for state contracts.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 94 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

NAYS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

HB 1400 failed.

SECOND READING OF HOUSE BILL

HB 1401: A BILL for an Act to provide for collective bargaining for law enforcement officers and paid full-time firefighters.

CONFLICT OF INTEREST

REP. GUGGISBERG STATED that he had a conflict of interest on HB 1401.

MOTION

REP. VIGESAA MOVED that Rep. Guggisberg be allowed to vote on HB 1401, which motion prevailed.

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 19 YEAS, 75 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, P.; Becker, Rich S.; Boe; Boschee; Delmore; Dobervich; Ertelt; Guggisberg; Hanson; Hogan; Holman; Maragos; Mitskog; Mock; Nelson, M.; Olson; Schneider; Skroch; Vetter

NAYS: Anderson, B.; Anderson, D.; Beadle; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Steiner; Streyle; Sukut; Toman; Trottier; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

HB 1401 failed.

SECOND READING OF HOUSE BILL

HB 1399: A BILL for an Act to amend and reenact section 43-07-02 of the North Dakota Century Code, relating to contractor license requirements; 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 43 YEAS, 51 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Becker, Rick C.; Boehning; Bosch; Boschee; Brandenburg; Carlson; Delmore; Dobervich; Dockter; Grueneich; Hatlestad; Heinert; Hogan; Johnson, C.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Laning; Lefor; Louser; Magrum; Maragos; Martinson; Mock; Nathe; Nelson, J.; O'Brien; Owens; Pollert; Porter; Sanford; Satrom; Schreiber-Beck; Seibel; Sukut; Toman; Vigesaa; Zubke

NAYS: Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Brabandt; Damschen; Delzer; Devlin; Ertelt; Guggisberg; Hanson; Headland; Holman; Howe; Johnson, D.; Johnson, M.; Johnston; Kading; Koppelman, B.; Koppelman, K.; Kreidt; Longmuir; Marschall; McWilliams; Meier; Mitskog; Monson; Nelson, M.; Oliver; Olson; Paur; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Schatz; Schmidt; Schneider; Schobinger; Simons; Skroch; Steiner; Streyle; Trottier; Vetter; Weisz; Westlind; Speaker Bellew

Engrossed HB 1399 failed.

SECOND READING OF HOUSE BILL

HB 1355: A BILL for an Act to provide for a legislative management study of political

subdivision funding mechanisms for transportation infrastructure projects.

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 36 YEAS, 57 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Boe; Bosch; Boschee; Delmore; Devlin; Dobervich; Dockter; Guggisberg; Hanson; Heinert; Hogan; Holman; Howe; Johnson, M.; Keiser; Lefor; Maragos; Martinson; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Porter; Pyle; Sanford; Satrom; Schneider; Seibel; Vetter; Weisz

NAYS: Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Ertelt; Grueneich; Hatlestad; Headland; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Longmuir; Louser; Magrum; Marschall; McWilliams; Monson; Oliver; Olson; Owens; Paur; Pollert; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Schatz; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vigasaa; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Meier

HB 1355 failed.

SECOND READING OF HOUSE BILL

HB 1285: A BILL for an Act to create an enact a new section to chapter 57-02 of the North Dakota Century Code, relating to an optional residential property tax freeze for owners who are disabled or age sixty-five or older; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 70 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, P.; Beadle; Becker, Rich S.; Boehning; Bosch; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Johnson, M.; Kasper; Maragos; Mock; Nathe; Rohr; Ruby, D.; Satrom; Schneider; Simons; Skroch; Vetter; Speaker Bellew

NAYS: Anderson, B.; Anderson, D.; Becker, Rick C.; Blum; Boe; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Mitskog; Monson; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Ruby, M.; Sanford; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Toman; Trottier; Vigasaa; Weisz; Westlind; Zubke

ABSENT AND NOT VOTING: Meier

HB 1285 failed.

SECOND READING OF HOUSE BILL

HB 1305: A BILL for an Act to amend and reenact sections 2-06-01, 2-06-01.1, 2-06-01.2, 2-06-02, 2-06-03, 2-06-04, 2-06-06, 2-06-07, 2-06-08, 2-06-09, 2-06-10, 2-06-11, 2-06-12, 2-06-13, 2-06-14, 2-06-15, 2-06-16, 2-06-17, 2-06-18, 2-06-19, 2-06-20, 2-06-21, and 2-06-22 of the North Dakota Century Code, relating to the form and style of statutes governing airport authorities; and to repeal sections 2-06-05 and 2-06-23 of the North Dakota Century Code, relating to airport authorities.

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, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Meier

HB 1305 passed.

MOTION

REP. VIGESAA MOVED that HB 1302 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1302: A BILL for an Act to amend and reenact subsection 1 of section 26.1-39-05 of the North Dakota Century Code, relating to property and casualty insurance covered loss.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Boe; Damschen; Ertelt; Monson; Skroch

Engrossed HB 1302 passed.

SECOND READING OF HOUSE BILL

HB 1335: A BILL for an Act to amend and reenact subsection 1 of section 26.1-39-05 of the North Dakota Century Code, relating to property and casualty insurance covered loss.

ROLL CALL

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

YEAS: Nelson, M.

NAYS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

HB 1335 failed.

SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to provide for a study of the curriculum requirements of history majors at public institutions of higher education in the state.

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 49 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Becker, Rich S.; Blum; Boehning; Bosch; Brabandt; Carlson; Damschen; Dockter; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Hogan; Howe; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Kempenich; Kiefert; Koppelman, K.; Longmuir; Louser; Maragos; Marschall; Mock; Monson; Nathe; O'Brien; Oliver; Olson; Owens; Paur; Porter; Pyle; Ruby, M.; Sanford; Satrom; Schatz; Schreiber-Beck; Seibel; Sukut; Trottier; Vetter; Westlind; Zubke

NAYS: Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Boe; Boschee; Brandenburg; Delmore; Delzer; Devlin; Dobervich; Ertelt; Hanson; Holman; Johnson, C.; Johnston; Kading; Keiser; Klemin; Koppelman, B.; Kreidt; Laning; Lefor; Magrum; Martinson; McWilliams; Meier; Mitskog; Nelson, J.; Nelson, M.; Pollert; Roers Jones; Rohr; Ruby, D.; Schmidt; Schneider; Schobinger; Simons; Skroch; Steiner; Streyle; Toman; Vigesaa; Weisz; Speaker Bellew

Engrossed HB 1420 passed.

MOTION

REP. VIGESAA MOVED that the House stand in recess until 5:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Bellew presiding.

SECOND READING OF HOUSE BILL

HB 1283: A BILL for an Act to amend and reenact section 15.1-21-02.6 of the North Dakota Century Code, relating to eligibility for North Dakota scholarships.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.;

Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Becker, Rick C.; Olson; Simons

ABSENT AND NOT VOTING: Boe; Keiser; Schmidt

Engrossed HB 1283 passed.

SECOND READING OF HOUSE BILL

HB 1223: A BILL for an Act to create and enact a new chapter to title 65 of the North Dakota Century Code, relating to allowing employers to purchase private insurance for worker's compensation coverage.

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 19 YEAS, 72 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, P.; Becker, Rich S.; Becker, Rick C.; Ertelt; Hanson; Hogan; Johnson, M.; Johnston; Kading; Magrum; McWilliams; Nelson, M.; Ruby, D.; Ruby, M.; Schneider; Schobinger; Simons; Trottier; Speaker Bellew

NAYS: Anderson, B.; Anderson, D.; Beadle; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Vetter; Vigesaa; Weisz; Westlind; Zubke

ABSENT AND NOT VOTING: Boe; Keiser; Schmidt

Engrossed HB 1223 failed.

SECOND READING OF HOUSE BILL

HB 1162: A BILL for an Act to provide for a legislative management study of competition between government and private industry.

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 83 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker

Bellew

NAYS: Boschee; Dobervich; Hanson; Hogan; Holman; Nelson, M.; Schneider; Trottier

ABSENT AND NOT VOTING: Boe; Keiser; Schmidt

Engrossed HB 1162 passed.

MOTION

REP. VIGESAA MOVED that HB 1394 be moved to the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1214: A BILL for an Act to create and enact a new chapter 47-36 of the North Dakota Century Code, relating to a Uniform Fiduciary Access to Digital Assets Act.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Boe; Keiser; Schmidt

Engrossed HB 1214 passed.

SECOND READING OF HOUSE BILL

HB 1235: A BILL for an Act to create and enact subsections 4 and 5 to section 54-61-02 of the North Dakota Century Code, relating to access to confidential records by the commission on legal counsel for indigents.

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

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Boschee; Hanson; Nelson, M.

ABSENT AND NOT VOTING: Boe; Keiser; Schmidt

Engrossed HB 1235 passed.

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 1, 2017, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1028: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1028 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1130: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1130 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1246: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1246 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1263: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1263 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1290: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1290 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1300: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (13 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1300 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1309: Education Committee (Rep. Owens, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1309 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1312: Human Services Committee (Rep. Weisz, Chairman) recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1312 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1325: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1325 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "Except in case of manifest injustice, the valuation"

Page 1, replace lines 9 through 14 with "Except as may be required by federal law for specific property, and subject to the power of the court to determine a date that is just and equitable, the valuation date for marital property is the date mutually agreed upon between the parties. If the parties do not mutually agree upon a valuation date, the valuation date for marital property is the date of service of a summons in an action"

for divorce or separation or the date on which the parties last separated, whichever occurs first."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1329: Education Committee (Rep. Owens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1329 was placed on the Sixth order on the calendar.

Page 3, line 29, remove "forty-eight hours of receipt of"

Page 3, line 30, replace "the request" with "a reasonable length of time"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1337: Education Committee (Rep. Owens, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1337 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1343: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1343 was placed on the Sixth order on the calendar.

Page 1, line 20, remove "A domestic winery is not precluded from retailing alcoholic beverages"

Page 1, line 21, remove "regardless of source in accordance with state and local licensing requirements"

Page 1, line 21, overstrike the period

Page 2, line 12, overstrike "To participate in a pride of Dakota event sponsored by the department of"

Page 2, line 13, overstrike "agriculture, a domestic winery shall obtain a special events permit."

Page 2, line 23, overstrike "obtain a domestic winery" and insert immediately thereafter "acquire a state and local"

Page 2, line 23, overstrike "and a retailer license allowing"

Page 2, line 24, overstrike "the onpremises sales of" and insert immediately thereafter "to sell at retail other"

Page 2, line 24, overstrike "at a restaurant owned by the licensee"

Page 2, line 25, overstrike "and located on property contiguous to" and insert immediately thereafter "in addition to the wine produced at"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1345: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1345 was placed on the Sixth order on the calendar.

Page 6, line 3, after "seventy-five" insert "calendar"

Page 6, line 3, after "days" insert "from the date of the complaint"

Page 7, line 25, replace "an other" with "another"

Page 8, line 21, after "locations" insert "as"

Page 8, line 21, replace "subsections 4 and 5" with "subsection 4"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1351: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1351 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "40-22-01" with "57-15-01"

Page 1, remove lines 5 through 24

Page 2, replace lines 1 through 17 with:

"SECTION 1. AMENDMENT. Section 57-15-01 of the North Dakota Century Code is amended and reenacted as follows:

57-15-01. Levy in specific amounts - Exceptions.

With the exception of ~~special assessment taxes and such general taxes as~~ may be definitely fixed by law, all state, county, city, township, and school district, water, and park district taxes and special assessments must be levied or voted in specific amounts of money. Voting requirements under this section with respect to special assessments levied must be satisfied by a majority vote of the elected members of the governing body of the county, city, township, or school, water, or park district.

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1357: Education Committee (Rep. Owens, Chairman) recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1357 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1368: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1368 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1384: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1384 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1405: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1405 was placed on the Sixth order on the calendar.

Page 1, line 20, remove "Bring together representatives of business, labor, education, and other groups"

Page 1, remove lines 21 and 22

Page 2, remove lines 1 through 19

Page 2, line 20, remove "d."

Page 2, line 20, replace "an annual" with "a biennial"

Page 2, line 20, after "each" insert "even-numbered"

Page 2, line 24, replace "e." with "c."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1407: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1407 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "and"

Page 1, line 3, remove "; and to declare an emergency"

Page 2, remove line 20

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1418: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1418 was placed on the Sixth order on the calendar.

Page 1, after line 6 insert:

"1."

Page 1, line 8, overstrike "1." and insert immediately thereafter "a."

Page 1, line 9, overstrike "2." and insert immediately thereafter "b."

Page 1, line 13, overstrike "3."

Page 1, line 13, remove "Make each statement available on the internet to the public free of charge within"

Page 1, remove line 14

Page 1, line 15, replace "4." with "c."

Page 1, after line 18, insert:

"2. The secretary of state shall make each statement filed under this chapter with the secretary of state available on the internet to the public free of charge within fourteen days after filing."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1423: Education Committee (Rep. Owens, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1423 was placed on the Eleventh order on the calendar.

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

Buell J. Reich, Chief Clerk

