

## JOURNAL OF THE HOUSE

## Sixty-sixth Legislative Assembly

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Bismarck, March 11, 2019

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

The prayer was offered by Sister Anna Rose, St. Vincent's Care Center, Bismarck.

The roll was called and all members were present except Representatives Marschall, McWilliams, and O'Brien.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

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

Page 1112, remove lines 31 through 34

Page 1112, line 37, replace "DO PASS" with "DO NOT PASS"

**REP. VIGESAA MOVED** that the report be adopted, which motion prevailed on a voice vote.

**ANNOUNCEMENT**

**SPEAKER KLEMIN ANNOUNCED** the updated House Rules of Decorum be printed in the House Journal.

1. NO FOOD is permitted on the floor of the House when the House is convened.
2. Flash photography and video recording are not permitted while the House is in session. Members of the press are the only exception.
3. No one is permitted to sleep or rest in a prone position on the benches which line both sides of Memorial Hall between the House and Senate Chambers.
4. Every member must vote if they are in the House Chamber during a roll call vote.
5. When a roll call vote is taken, every member not at their seat shall call out their name and vote in a voice loud enough for the Speaker to hear.
6. During debate, members are to be attentive and quiet. Noise behind the rail shall be held to a minimum.
7. No member shall have more than one guest seated with the member during floor debate. Each member has one guest pass. Guests are expected to be dressed in a neat and clean manner. The Sergeant-at-Arms has discretion to refuse guest seating. Rule 361 states that introduction of guests is limited to individuals who will be addressing the House, or former members of the legislative assembly. Individuals or groups who have achieved state or national recognition can be introduced, but the speaker requests prior notification of such introductions. School, and other groups including former members of the legislative assembly will be announced by the speaker.
8. No one is permitted to visit or lean over the back railing while the House is in session.
9. The Sergeant-at-Arms shall clear the floor of the House Chamber in front of the railing of all persons, except legislators, legislative employees, legislative guests, former members of the Legislative Assembly, and members of the press during the time period commencing one hour before the House convenes on any legislative day until the House recesses for that

calendar day.

10. Tour groups or guests are not allowed at the Speaker's rostrum or behind the front desk unless authorized by the Speaker.

11. Legislators and employees shall be suitably attired. Men must wear a sport coat or suit and tie at all times when on the House floor. Women must wear suitable business attire.

12. When a legislator is speaking, the Sergeant-at-Arms will not allow anyone to enter that section.

13. When the Speaker is putting the question, no member shall walk out or across the floor of the House.

14. When a member is speaking, no person shall pass between the person speaking and the Speaker.

15. A member desiring to speak shall turn on their speak light, and when recognized by the Speaker shall rise and respectfully address the Speaker and the members of the House. Members shall address each other through the Speaker and always in a respectful manner.

16. During floor debate, another Representatives name or the specific name of any individuals, organizations or company should not be used. The use of props, including charts, graphs of similar items is prohibited.

17. Visitors sitting in the lower tier of seats in the House balcony shall not touch, lean over, place objects on, or put their feet on the brass railings.

18. While the House is convened, no person shall read newspapers or other large publications in a conspicuous manner.

19. All persons shall wear identification badges while in the House Chamber or in the employ of the House.

20. All materials placed on desks must be authorized by a House member or individually addressed and mailed to each member.

21. House Rule 306: No member may speak more than twice on the same subject nor more than once until every member who wishes to speak has spoken. Exceptions to this rule are: the person carrying the bill, committee chair, or floor leaders.

22. Cell phones must be turned off/muted while the House is in session, and texting is prohibited. Taking photos with a cell phone or tablet is prohibited if using a flash or is disruptive in any way.

#### **COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 8, 2019, I have signed the following: HB 1026, HB 1041, HB 1059, HB 1069, HB 1075, HB 1080, HB 1081, HB 1083, HB 1084, HB 1085, HB 1087, HB 1091, HB 1093, HB 1100, HB 1103, HB 1109, HB 1110, HB 1116, HB 1146, HB 1166, HB 1201, HB 1276, HB 1312, HB 1344, and HB 1360.

#### **POINT OF PERSONAL PRIVILEGE**

**REP. HEADLAND** rose on a point of personal privilege.

#### **REMARKS OF REPRESENTATIVE HEADLAND**

**MR. SPEAKER:** On Saturday, March 9, the State of North Dakota was captivated by the final chapter of a season-long challenge that epitomizes why extra-curricular activities are synonymous with the educational experience. The Jamestown Blue Jays completed an undefeated season to finish 27-0 and win the Class A State Championship in Boys Basketball. While it is accurate to say that this is "just a game," I believe that we have a connection to activities because they prepare young people for their next steps beyond high school. It teaches students, and it reaffirms for adults, that: 1) hard work almost always trumps talent, 2) you are never done getting better, and 3) no one of us is as important as all of us. For those who did not follow the Blue Jays, this group of young men was a team in the truest sense of the word. The players earned many important individual accomplishments

such as Mason Walters being named tournament MVP as well as making the all-tournament team along with his teammate Boden Skunberg. Jamestown head coach Jacoby Lloyd was also selected Class A Boys Basketball coach of the year. Perhaps most impressively, though, was the level to which each of those student-athletes committed first and foremost to the team's collective success. We watched different players step up every night, be it a sophomore sharpshooter or a senior lockdown defender. These players not only accepted their roles, they embraced them. These young men did not squabble over court time, points-per-game, or glory. They worked together to achieve a shared goal. This is a lesson for young people, but also an inspirational reminder for all of us. In the post-game interview, Coach Jacoby Lloyd referenced the growth mindset that the team lives by. A growth mindset is the belief that you are never done learning and can always get better. While the casual fan may see March Madness, the reality is that a basketball season is a months-long grind full of opportunities to improve. Successful teams are those that continue to recognize that they are not yet good enough and there is much more to achieve. Thank you, Mr. Speaker and assembly members, for taking a moment to honor the accomplishments of these student-athletes and coaches not only because they deserve our respect, but also because we can all learn a lesson from these hard-working young people. Go Blue jays!

#### MOTION

**REP. LOUSER MOVED** that the remarks of Rep. Headland be printed in the Journal, which motion prevailed on a voice vote.

#### MOTION

**REP. LOUSER MOVED** that SB 2114, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed on a voice vote.

#### SIXTH ORDER OF BUSINESS

**SPEAKER KLEMIN DEEMED** approval of the amendments to Engrossed SB 2025, Engrossed SB 2061, Engrossed SB 2101, SB 2150, Engrossed SB 2340, and Engrossed SB 2357.

Engrossed SB 2025, Engrossed SB 2061, Engrossed SB 2101, SB 2150, Engrossed SB 2340, and Engrossed SB 2357, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### SECOND READING OF SENATE BILL

**SB 2077:** A BILL for an Act to amend and reenact section 26.1-02.1-05 of the North Dakota Century Code, relating to the penalties and restitution for insurance fraud; to provide a penalty; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

SB 2077 passed.

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#### SECOND READING OF SENATE BILL

**SB 2118:** A BILL for an Act to create and enact section 26.1-36-49 of the North Dakota

Century Code, relating to short-term limited-duration health insurance plans; and to amend and reenact subsections 2 and 3 of section 26.1-36.4-02 of the North Dakota Century Code, relating to short-term limited-duration health insurance plans.

#### 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 89 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Johnston; Simons

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

SB 2118 passed.

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#### SECOND READING OF SENATE BILL

**SB 2036:** A BILL for an Act to create and enact section 4.1-45-22.1 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; to amend and reenact subsection 7 of section 12.1-31.2-01, section 14-09-00.1, subsection 1 of section 14-09-06.2, subsection 2 of section 27-20-30.1, subsection 1 of section 27-20-45, sections 43-62-01 and 43-62-15, subsection 5 of section 53-06.1-06, section 57-02-08.6, subsection 7 of section 57-38-30.3, and section 57-60-14 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal sections 4.1-55-22.1, 6-09.8-04, 6-09.11-02, and 15-08.1-09 and chapter 61-21.1 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references.

#### 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:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

Engrossed SB 2036, as amended, passed.

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**SECOND READING OF SENATE BILL**

**SB 2074:** A BILL for an Act to amend and reenact subsection 2 of section 27-20-54 of the North Dakota Century Code, relating to the destruction of juvenile court records.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

SB 2074 passed.

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**SECOND READING OF SENATE BILL**

**SB 2068:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-08 and section 29-26-22.1 of the North Dakota Century Code, relating to docketing of restitution judgments.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

SB 2068 passed.

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**SECOND READING OF SENATE BILL**

**SB 2063:** A BILL for an Act to create and enact chapter 32-29.4 of the North Dakota Century Code, relating to adoption of the Uniform Family Law Arbitration Act.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

SB 2063 passed.

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### SECOND READING OF SENATE BILL

**SB 2246:** A BILL for an Act to amend and reenact section 5-01-05.1 of the North Dakota Century Code, relating to public intoxication.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

SB 2246 passed.

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### SECOND READING OF SENATE BILL

**SB 2272:** A BILL for an Act to create and enact chapter 29-29.6 of the North Dakota Century Code, relating to the issuance of a tracking warrant for location information.

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

SB 2272 passed.

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### SECOND READING OF SENATE BILL

**SB 2253:** A BILL for an Act to create and enact a new subsection to section 12.1-32-15 of the North Dakota Century Code, relating to international travel reporting requirements for registered offenders.

### 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 89 YEAS, 1 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Johnson, M.

**ABSENT AND NOT VOTING:** Buffalo; Marschall; McWilliams; O'Brien

SB 2253 passed.

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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 57-06 and a new section to chapter 57-33.2 of the North Dakota Century Code, relating to county auditor verification of information reported by public utility companies and electric generation, distribution, and transmission companies; to amend and reenact sections 57-06-21, 57-08-01, and 57-33.2-06 of the North Dakota Century Code, relating to the review of public utility assessments and public utility and electric generation, distribution, and transmission reports received by county auditors; and to provide an effective date.

### ROLL CALL

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

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

SB 2350 passed.

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### SECOND READING OF SENATE BILL

**SB 2263:** A BILL for an Act to provide an appropriation to the department of commerce for homeless shelter grants.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 79 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Eidson; Guggisberg; Hager; Hanson; Mitskog; Mock; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Brandenburg; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Grueneich; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

Reengrossed SB 2263 failed.

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### SECOND READING OF SENATE BILL

**SB 2143:** A BILL for an Act to amend and reenact subsection 1 of section 43-12.3-06 of the North Dakota Century Code, relating to the health care professional student loan repayment program.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Bellew; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Holman; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Klemin

**NAYS:** Ertelt; Ruby, D.; Simons

**ABSENT AND NOT VOTING:** Marschall; McWilliams; O'Brien

SB 2143 passed.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SB 2066, SB 2075, SB 2093,



SB 2191, SB 2235, SB 2283.

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

**MR. PRESIDENT:** The House has passed, the emergency clause failed, unchanged: SB 2098.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2035, SB 2078, SB 2100, SB 2120, SB 2241.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1044, HB 1048, HB 1052, HB 1099, HB 1127, HB 1136, HB 1169, HB 1176, HB 1378, HB 1387.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1092, HB 1338.

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

**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1452.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1038, HB 1051, HB 1062, HB 1073, HB 1088, HB 1120, HB 1188, HB 1240, HB 1376, HB 1498.

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

**MR. SPEAKER:** The President has signed: HB 1038, HB 1051, HB 1062, HB 1073, HB 1088, HB 1120, HB 1188, HB 1240, HB 1376, HB 1498.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1027, HB 1089, HB 1132, HB 1147, HB 1150, HB 1156, HB 1250, HB 1281, HB 1433.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3001.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 11, 2019: HB 1027, HB 1089, HB 1132, HB 1147, HB 1150, HB 1156, HB 1250, HB 1281, HB 1433.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on March 11, 2019: HCR 3001.

**MOTION**

**REP. LOUSER MOVED** that the absent members be excused, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER 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., Tuesday, March 12, 2019, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2064: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2064 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2099: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2099 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2103: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**

recommends **DO PASS** (10 YEAS, 1 NAYS, 3 ABSENT AND NOT VOTING). SB 2103 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2121: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). SB 2121 was placed on the Sixth order on the calendar.

Page 2, line 11, replace "commercial" with "noncommercial"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2144: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2144 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2176, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2176 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first semicolon insert "and"

Page 1, line 2, remove "; and to declare"

Page 1, line 3, remove "an emergency"

Page 1, line 12, after the period insert "The pilot program is contingent on the favorable recommendation of legislative management and completion of the study in section 2."

Page 1, line 14, replace "study" with " consider studying"

Page 2, remove line 3

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2207, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2207 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2211, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2211 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 3, after "sections" insert "61-33.1-02,"

Page 1, line 3, replace the second "and" with a comma

Page 1, line 3, after "61-33.1-05" insert ", and 61-33.1-07"

Page 1, line 4, replace "inundated" with "subject to inundation"

Page 1, line 5, after "dams" insert "; to provide a contingent appropriation; and to declare an emergency"

Page 1, after line 6, insert:

**"SECTION 1. AMENDMENT.** Section 61-33.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**61-33.1-02. Mineral ownership of land ~~inundated~~subject to inundation by Pick-Sloan Missouri basin project dams. (Retroactive application - [See note](#))**

The state sovereign land mineral ownership of the riverbed segments ~~inundated~~subject to inundation by Pick-Sloan Missouri basin project dams extends only to the historical Missouri riverbed channel up to the ordinary high water mark. The state holds no claim or title to any minerals above the ordinary high water mark of the historical Missouri riverbed channel ~~inundated~~subject to inundation by Pick-Sloan Missouri basin project dams, except for original grant lands acquired by the state under federal law and any minerals acquired by the state through purchase, foreclosure, or other written conveyance. Mineral ownership of the riverbed segments ~~inundated~~subject to inundation by Pick-Sloan Missouri basin project dams which are located within the exterior boundaries of the Fort Berthold reservation and Standing Rock Indian reservation is controlled by other law and is excepted from this section."

Page 3, line 11, replace "acreage determinations were approved" with "payments were made"

Page 3, after line 26, insert:

**"SECTION 5. AMENDMENT.** Section 61-33.1-07 of the North Dakota Century Code is amended and reenacted as follows:

**61-33.1-07. State engineer regulatory jurisdiction. (Retroactive application - [See note](#))**

This chapter does not affect the authority of the state engineer to regulate the historical Missouri riverbed channel, minerals other than oil and gas, or the waters of the state, provided the regulation does not affect ownership of oil and gas minerals in and under the riverbed or lands above the ordinary high water mark of the historical Missouri riverbed channel ~~inundated~~subject to inundation by Pick-Sloan Missouri basin project dams.

**SECTION 6. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - REIMBURSEMENT OF LEGAL EXPENSES.**

1. There is appropriated out of any moneys held in reserve in the strategic investment and improvements fund for mineral title disputes, not otherwise appropriated, the sum of \$750,000, or so much of the sum as may be necessary, to the commissioner of university and school lands for the purpose of reimbursing legal expenses as provided in subsection 2, for the biennium beginning July 1, 2019, and ending June 30, 2021.
2. The commissioner of university and school lands shall use funds appropriated in subsection 1 to reimburse actual legal and expert fees incurred and requested by any private mineral owner, or the owner's successors in interest, who reserved the mineral rights, through deed or condemnation order from the court, when the United States acquired the owner's property as part of the land acquisitions for Garrison Dam and its reservoir, Lake Sakakawea, and who filed a lawsuit against the state of North Dakota after December 31, 2011, but before December 31, 2016, and which lawsuit was pending as of February 1, 2017, claiming title to reserved mineral rights. The legal and expert fees may not be reimbursed until the final adjudication, settlement, or other resolution of the lawsuit for which they were incurred.

**SECTION 7. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2295: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2295 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4009: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4009 was placed on the Tenth order on the calendar.

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4016:** A concurrent resolution to amend and reenact subsections 2 and 6 of section 6 of article VIII of the Constitution of North Dakota, relating to the membership and meeting requirements of the state board of higher education; to provide for transition; and to provide an effective date.

Was read the first time and referred to the **Judiciary Committee**.

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

**Buell J. Reich, Chief Clerk**