

JOURNAL OF THE HOUSE

Sixty-sixth Legislative Assembly

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Bismarck, April 1, 2019

The House convened at 1:15 p.m., with Speaker Klemin presiding.

The prayer was offered by Pastor Isaac Seville, Evangel Church, Bismarck.

The roll was called and all members were present except Representatives Bellew, Holman, Kading, Kempenich, Kiefert, 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 Thirty-ninth and Fortieth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1082, line 39, replace "signed: " with "signed: HCR 3024, "

Page 1093, after line 10, insert:

"

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on March 7, 2019: HCR 3024."

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

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on March 28, 2019, I have signed the following: HB 1032, HB 1035, HB 1046, HB 1077, HB 1131, HB 1144, HB 1200, HB 1280, HB 1292, HB 1296, HB 1311, HB 1316, HB 1318, HB 1337, HB 1349, HB 1351, HB 1367, HB 1377, HB 1391, HB 1405, HB 1475, HB 1485, HB 1487, HB 1503, and HB 1516.

REPORT OF DELAYED BILLS COMMITTEE

MR. SPEAKER: Your **Delayed Bills Committee (Rep. Pollert, Chairman)** has unanimously approved the introduction of a concurrent resolution to commend and congratulate North Dakota's Alpha Company, 164th Engineer Combat Battalion, for being awarded the Army Valorous Unit Citation and to recognize and honor the unit and their family members for their heroic and selfless service, sacrifice, dedication, and contributions to North Dakota and the United States of America.

The resolution will be HCR 3058.

MOTION

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. M. Ruby, Bellew, Fisher, Hoverson, Louser, Paulson, D. Ruby, Schobinger and Sens. Burckhard, Hogue, Krebsbach, O. Larsen introduced:
(Approved by the Delayed Bills Committee)

HCR 3058: A concurrent resolution to commend and congratulate North Dakota's Alpha Company, 164th Engineer Combat Battalion, for being awarded the Army Valorous Unit Citation and to recognize and honor the unit and their family members for their heroic and selfless service, sacrifice, dedication, and contributions to North Dakota and the United States of America.

Was read the first time.

MOTION

REP. LOUSER MOVED that the rules be suspended, that HCR 3058 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed on a voice vote.

Reps. M. Ruby, Bellew, Fisher, Hoverson, Louser, Paulson, D. Ruby, Schobinger and Sens. Burckhard, Hogue, Krebsbach, O. Larsen introduced:
(Approved by the Delayed Bills Committee)

HOUSE CONCURRENT RESOLUTION NO. 3058

A concurrent resolution to commend and congratulate North Dakota's Alpha Company, 164th Engineer Combat Battalion, for being awarded the Army Valorous Unit Citation and to recognize and honor the unit and their family members for their heroic and selfless service, sacrifice, dedication, and contributions to North Dakota and the United States of America.

WHEREAS, Alpha Company, 164th Engineer Combat Battalion, was mobilized and ordered to active duty on August 5, 2005; and after two months of training at Fort Riley in Kansas, the unit moved to the National Training Center at Fort Irwin in California to complete its mobilization validation process, including counter-improvised explosive device training, route clearance, and training and operation in mock Iraqi villages; and

WHEREAS, the unit ultimately deployed to Iraq to assume the unit's mission in support of Operation Iraqi Freedom and was the first unit to deploy directly to Operation Iraqi Freedom from the National Training Center; and

WHEREAS, the unit's primary mission was to conduct route clearance patrols on the main supply route, patrolling over 86,000 miles; and

WHEREAS, between December 1, 2005, to October 31, 2006, the unit engaged in 479 enemy incidents resulting in 446 improvised explosive devices of which 320 were found and cleared and 117 were detonated; and

WHEREAS, the unit spent 358 days on foreign soil and 437 days away from families, friends, and communities; and

WHEREAS, the unit awarded the Combat Action Badge to over 90 percent of the company, and members of the unit were presented 10 Bronze Star Medals for heroic achievements or services, 10 Purple Heart Medals, and numerous Army Commendation Medals; and

WHEREAS, in recognition of the exemplary service, the United States Army awarded the Army Valorous Unit Citation to the unit for extraordinary heroism in action against an armed enemy of the United States; and

WHEREAS, the Army Valorous Unit Citation is the second highest unit award of the United States Army and is considered the unit equivalent of a Silver Star Medal; and

WHEREAS, on May 23, 2006, Specialist Michael Hermanson made the ultimate sacrifice in service to his country when a rocket propelled grenade was fired in Al Abayachi, Iraq during combat operations; and

WHEREAS, the unit became tight knit friends who ultimately became family through shared experiences and service to our nation; and

WHEREAS, the unit was welcomed back into North Dakota on November 10, 2006;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Sixty-sixth Legislative Assembly commends and congratulates North Dakota's Alpha Company, 164th Engineer Combat Battalion, for being awarded the Army Valorous Unit Citation and recognizes and honors the unit and their family members for their heroic and selfless service, sacrifice, dedication, and contributions to North Dakota and the United States of America; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of Alpha Company, 164th Engineer Combat Battalion, or their next of kin and to the Adjutant General.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3058: A concurrent resolution to commend and congratulate North Dakota's Alpha Company, 164th Engineer Combat Battalion, for being awarded the Army Valorous Unit Citation and to recognize and honor the unit and their family members for their heroic and selfless service, sacrifice, dedication, and contributions to North Dakota and the United States of America.

The question being on the final adoption of the resolution, which has been read.

HCR 3058 was declared adopted on a voice vote.

MOTION

REP. LOUSER MOVED that SB 2041, which is on the Sixth order, be rereferred to the **Political Subdivisions Committee**, which motion prevailed. Pursuant to Rep. Louser's motion, SB 2041 was rereferred.

MOTION

REP. LOUSER MOVED that HB 1283 be rereferred to the chairman of the **House Human Services Committee** for further consideration, which motion prevailed on a voice vote.

SIXTH ORDER OF BUSINESS

SPEAKER KLEMIN DEEMED approval of the amendments to SB 2058 and Engrossed SB 2212.

SB 2058, as amended, was rereferred to the **Appropriations Committee**.

Engrossed SB 2212, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2281: A BILL for an Act to amend and reenact section 12.1-05-05 of the North Dakota Century Code, relating to limitations on permissible use of force on a child.

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 74 YEAS, 14 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

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

NAYS: Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Eidson; Ertelt; Guggisberg; Hager; Hanson; Magrum; Nelson, M.; Schneider; Simons

ABSENT AND NOT VOTING: Bellew; Holman; Kading; Kempenich; Kiefert; O'Brien

SB 2281, as amended, passed.

SECOND 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.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 42 YEAS, 46 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Becker; Boe; Bosch; Damschen; Delzer; Fisher; Hager; Hanson; Hoverson; Johnson, D.; Johnston; Jones; Karls; Koppelman, B.; Koppelman, K.; Longmuir; Marschall; McWilliams; Monson; Nathe; Nelson, J.; Owens; Paulson; Paur; Pollert; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schmidt;

Schobinger; Simons; Skroch; Steiner; Toman; Vigesaa; Weisz; Westlind; Zubke

NAYS: Adams; Anderson, P.; Beadle; Blum; Boschee; Brandenburg; Buffalo; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Grueneich; Guggisberg; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, M.; Kasper; Keiser; Kreidt; Laning; Lefor; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Nelson, M.; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Schauer; Schneider; Schreiber-Beck; Strinden; Trottier; Tveit; Vetter; Speaker Klemin

ABSENT AND NOT VOTING: Bellew; Holman; Kading; Kempenich; Kiefert; O'Brien

Engrossed SCR 4016, as amended, was declared lost on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2110: A BILL for an Act to amend and reenact sections 54-59-01 and 54-59-05 of the North Dakota Century Code, relating to cybersecurity.

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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; 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: Bellew; Holman; Kading; Kempenich; Kiefert; O'Brien

Engrossed SB 2110, as amended, passed.

SECOND READING OF SENATE BILL

SB 2212: A BILL for an Act to amend and reenact section 47-16-39.2 of the North Dakota Century Code, relating to the inspection of production and royalty payment records by the board of university and school lands; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 3 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; 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; Steiner; Strinden; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Ertelt; Magrum; Skroch

ABSENT AND NOT VOTING: Bellew; Holman; Kading; Kempenich; Kiefert; O'Brien

Engrossed SB 2212, as amended, passed.

CONSIDERATION OF MESSAGES FROM THE SENATE

REP. LOUSER MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1194 as printed on HJ pages 1326-1327, in the Senate amendments to Engrossed HB 1366 as printed on HJ page 1325, in the Senate amendments to Engrossed HB 1407 as printed on HJ pages 1247-1248, in the Senate amendments to Engrossed HB 1412 as printed on HJ pages 1325-1326, in the Senate amendments to Engrossed HB 1417 as printed on HJ pages 1309-1312, in the Senate amendments to Engrossed HB 1429 as printed on HJ page 1281, in the Senate amendments to Engrossed HB 1454 as printed on HJ page 1308, in the Senate amendments to Engrossed HB 1513 as printed on HJ pages 1343-1344, and in the Senate amendments to Engrossed HB 1519 as printed on HJ page 1312 and that a conference committee be appointed to meet with a like committee from the Senate on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on:

Reengrossed HB 1194: Reps. Rohr, D. Anderson, Dobervich.

Engrossed HB 1366: Reps. D. Anderson, Zubke, Mitskog.

Engrossed HB 1407: Reps. Weisz, Grueneich, Hanson.

Engrossed HB 1412: Reps. Lefor, Marschall, Eidson.

Engrossed HB 1417: Reps. Westlind, Fegley, Schneider.

Engrossed HB 1429: Reps. Owens, Heinert, Guggisberg.

Engrossed HB 1454: Reps. Pyle, Longmuir, Guggisberg.

Engrossed HB 1513: Reps. Grueneich, Blum, Eidson.

Engrossed HB 1519: Reps. M. Ruby, Westlind, Damschen.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. RUBY MOVED that the House do concur in the Senate amendments to HB 1098 as printed on HJ pages 1059-1060, which motion prevailed on a voice vote.

HB 1098, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1098: A BILL for an Act to create and enact a new subsection to section 39-06.2-06 of the North Dakota Century Code, relating to commercial driver's licenses; and to amend and reenact subdivision b of subsection 6 of section 39-06.2-07 of the North Dakota Century Code, relating to commercial learner's permits.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 6 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Devlin; Dobervich; Dockter; Eidson; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; 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; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

NAYS: Becker; Delzer; Ertelt; Johnston; Magrum; Simons

ABSENT AND NOT VOTING: Bellew; Holman; Kading; Kempenich; Kiefert; O'Brien

Engrossed HB 1098 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1115 as printed on HJ page 1307, which motion prevailed on a voice vote.

Engrossed HB 1115, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1115: A BILL for an Act to create and enact a new section to chapter 50-10.2 and two new sections to chapter 50-24.1 of the North Dakota Century Code, relating to furnishing financial information to a facility, definitions for medical assistance for needy persons, and medical assistance claims processing; to amend and reenact subsection 6 of section 50-06-01.9 and sections 50-24.1-01.1, 50-24.1-01.3, 50-24.1-02, 50-24.1-02.1, 50-24.1-02.2, 50-24.1-02.3, 50-24.1-02.5, 50-24.1-02.6, 50-24.1-02.7, 50-24.1-02.8, 50-24.1-02.10, 50-24.1-03.1, 50-24.1-03.2, 50-24.1-03.3, 50-24.1-04, 50-24.1-07, 50-24.1-12, 50-24.1-14, 50-24.1-16, 50-24.1-17, 50-24.1-18, 50-24.1-18.1, 50-24.1-20, 50-24.1-24, 50-24.1-26, 50-24.1-28, 50-24.1-29, 50-24.1-30, 50-24.1-31, 50-24.1-33, 50-24.1-34, 50-24.1-35, 50-24.1-36, and 50-24.1-39 of the North Dakota Century Code, relating to criminal history record checks on Medicaid services applicants, providers, and staff members and medical assistance for needy persons; to repeal sections 50-24.1-01.2, 50-24.1-10, 50-24.1-11, 50-24.1-13, 50-24.1-19, 50-24.1-22, 50-24.1-25, and 50-24.1-27 of the North Dakota Century Code, relating to medical assistance for needy persons; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Brandenburg; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; 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; Trotter; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Klemin

ABSENT AND NOT VOTING: Bellew; Holman; Kading; Kempenich; Kiefert; O'Brien

Reengrossed HB 1115 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. K. KOPPELMAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1362 as printed on HJ pages 1281-1282, which motion prevailed on a voice vote.

Engrossed HB 1362, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1362: A BILL for an Act to create and enact chapter 49-09.1 of the North Dakota Century Code, relating to the right of utilities to cross over or under a railroad right of way; 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 79 YEAS, 8 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

NAYS: Becker; Ertelt; Hager; Johnston; Porter; Ruby, M.; Simons; Toman

ABSENT AND NOT VOTING: Bellew; Brandenburg; Holman; Kading; Kempenich; Kiefert; O'Brien

Reengrossed HB 1362 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. RUBY MOVED that the House do concur in the Senate amendments to HB 1058 as printed on HJ page 1218, which motion prevailed on a voice vote.

HB 1058, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1058: A BILL for an Act to amend and reenact section 39-06.1-08 of the North Dakota Century Code, relating to nonmoving violations; and to repeal section 39-10-51 of the North Dakota Century Code, relating to unattended motor vehicles.

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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; 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: Bellew; Brandenburg; Holman; Kading; Kempenich; Kiefert; O'Brien

Engrossed HB 1058 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. RUBY MOVED that the House do concur in the Senate amendments to Engrossed HB 1179 as printed on HJ page 1218, which motion prevailed on a voice vote.

Engrossed HB 1179, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1179: A BILL for an Act to amend and reenact subsection 4 of section 39-06.1-10 and section 39-06.1-11 of the North Dakota Century Code, relating to the issuance of temporary restricted licenses to operators participating in the twenty-four seven

sobriety program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 1 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Martinson; McWilliams; 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 Klemm

NAYS: Magrum

ABSENT AND NOT VOTING: Bellew; Brandenburg; Holman; Kading; Kempenich; Kiefert; O'Brien

Reengrossed HB 1179 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. RUBY MOVED that the House do concur in the Senate amendments to HB 1199 as printed on HJ page 1324, which motion prevailed on a voice vote.

HB 1199, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1199: A BILL for an Act to create and enact a new section to chapter 39-10 of the North Dakota Century Code, relating to platoons; to amend and reenact section 39-10-18 of the North Dakota Century Code, relating to following a motor vehicle too closely; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 2 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; 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 Klemm

NAYS: Hager; Nelson, M.

ABSENT AND NOT VOTING: Bellew; Brandenburg; Holman; Kading; Kempenich; Kiefert; O'Brien

Engrossed HB 1199 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HEADLAND MOVED that the House do concur in the Senate amendments to Engrossed HB 1248 as printed on HJ page 1281, which motion prevailed on a voice vote.

Engrossed HB 1248, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1248: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to optional income tax contributions to the veterans' postwar trust fund; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 4 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

NAYS: Becker; Delzer; Rohr; Steiner

ABSENT AND NOT VOTING: Bellew; Brandenburg; Holman; Kading; Kempenich; Kiefert; O'Brien

Reengrossed HB 1248 passed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. RUBY MOVED that the House do concur in the Senate amendments to Engrossed HB 1369 as printed on HJ page 1082, which motion prevailed on a voice vote.

Engrossed HB 1369, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1369: A BILL for an Act to amend and reenact section 15.1-07-20 of the North Dakota Century Code, relating to payments for school bus driver physical examinations.

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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker; Blum; Boe; Bosch; Boschee; Buffalo; Damschen; Delzer; Devlin; Dobervich; Dockter; Eidson; Ertelt; Fegley; Fisher; Grueneich; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kasper; Keiser; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; 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: Bellew; Brandenburg; Holman; Kading; Kempenich; Kiefert; O'Brien

Reengrossed HB 1369 passed.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, and your favorable consideration is requested on: HCR 3058.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2110, SB 2212, SB 2281.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2362.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1345, HB 1444, HCR 3035.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1005, HB 1246, HB 1286, HB 1287, HB 1394, HB 1531, HCR 3048.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1005

In lieu of the amendments adopted by the Senate as printed on page 1171 of the Senate Journal, Engrossed House Bill No. 1005 is amended as follows:

Page 1, replace lines 11 through 13 with:

| | | | |
|---------------------|----------------|-----------------|----------------|
| "Salaries and wages | \$848,407 | \$21,672 | \$870,079 |
| Operating expenses | <u>263,704</u> | <u>(35,144)</u> | <u>228,560</u> |
| Total general fund | \$1,112,111 | (\$13,472) | \$1,098,639" |

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1005 - Indian Affairs Commission - Senate Action

| | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------|----------------|----------------|----------------|----------------|
| Salaries and wages | \$848,407 | \$866,218 | \$3,861 | \$870,079 |
| Operating expenses | <u>263,704</u> | <u>228,560</u> | | <u>228,560</u> |
| Total all funds | \$1,112,111 | \$1,094,778 | \$3,861 | \$1,098,639 |
| Less estimated income | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| General fund | \$1,112,111 | \$1,094,778 | \$3,861 | \$1,098,639 |
| FTE | 4.00 | 4.00 | 0.00 | 4.00 |

Department 316 - Indian Affairs Commission - Detail of Senate Changes

| | Adjusts Funding for Salary Increases ¹ | Total Senate Changes |
|-----------------------|---|----------------------|
| Salaries and wages | \$3,861 | \$3,861 |
| Operating expenses | | |
| Total all funds | \$3,861 | \$3,861 |
| Less estimated income | <u>0</u> | <u>0</u> |
| General fund | \$3,861 | \$3,861 |
| FTE | 0.00 | 0.00 |

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5

percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1246

Page 1, line 1, remove "create and enact subdivision g of subsection 12 of section 20.1-02-05 and a"

Page 1, remove line 2

Page 1, line 3, remove "resident hunting licenses for active military members who are former residents; to"

Page 1, remove lines 7 through 10

Page 9, remove lines 17 through 29

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1286

In addition to the amendments adopted by the Senate as printed on pages 1172 and 1173 of the Senate Journal, Engrossed House Bill No. 1286 is further amended as follows:

Page 3, line 30, remove "electronic data entry for"

Page 4, line 5, replace "an aggregate" with "a"

Page 4, line 11, remove "aggregate"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1287

Page 1, line 3, after "program" insert "; to provide for a legislative management report; and to provide an expiration date"

Page 2, after line 31, insert:

"SECTION 2. ALTERNATIVE TEACHER CERTIFICATION PROGRAM - REPORT TO LEGISLATIVE MANAGEMENT. The education standards and practices board shall provide the legislative management a status report during the 2019-20 interim and the 2021-22 interim regarding the number of teacher licenses issued under an alternative teacher certification program, the effectiveness of the program, the quality of instruction provided under the program, and whether the program is accomplishing desired objectives. The report must include a recommendation regarding continuation of the program.

SECTION 3. EXPIRATION DATE. This Act is effective through July 31, 2023, and after that date is ineffective."

Re-number accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1394

Page 1, line 21, remove "fifty"

Page 2, line 1, replace "seventy-five" with "fifty"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1531

Page 1, line 3, after "criteria" insert "; to provide for a legislative management report; and to provide an expiration date"

Page 1, line 21, after "education" insert ", special education"

Page 2, line 1, replace "two thousand hours" with "five years"

Page 2, line 1, remove "in the"

Page 2, line 2, remove "preceding five years"

Page 2, after line 13, insert:

"SECTION 2. ALTERNATIVE TEACHER CERTIFICATION PROGRAM - REPORT TO LEGISLATIVE MANAGEMENT. The education standards and practices board shall provide the legislative management a status report during the 2019-20 interim and during the 2021-22 interim regarding the number of teacher licenses issued under an alternative teacher certification program, the effectiveness of the program, the quality of instruction provided under the program, and whether the program is accomplishing desired objectives. The report must include a recommendation regarding continuation of the program.

SECTION 3. EXPIRATION DATE. This Act is effective through July 31, 2023, and after that date is ineffective."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3048

Page 1, line 2, after "fund" insert "and whether the statutorily required minimum wind turbine setback distances provide adequate protections to nonparticipating landowners and their property"

Page 1, line 20, after the semicolon insert "and

WHEREAS, minimum wind turbine setback distance requirements are codified safety measures enacted to protect the land, property, and health of nonparticipating landowners; and

WHEREAS, noise, shadow flickering, ice fall, and turbine failure, produce risks to a nonparticipating landowner's land, property, and health which can be reasonably mitigated, minimized, or eliminated by requiring effective and feasible setback distances;"

Page 1, line 24, after "fund" insert "and whether the statutorily required minimum wind turbine setback distances provide adequate protections to nonparticipating landowners and their property"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1435.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1435

Page 2, overstrike line 17

Page 2, line 19, after "management" insert: ";

r. The director of the game and fish department or a designee; and

s. The state health officer or a designee"

Page 3, line 16, remove "and"

Page 3, line 18, after "management" insert: ";

- r. The director of the game and fish department or a designee; and
- s. The state health officer or a designee"

Page 4, line 4, overstrike "radio"

Page 4, line 4, after "systems" insert "personal and vehicular radios"

Page 4, line 23, remove "consider"

Page 4, line 24, replace "studying" with "study"

Page 4, line 28, after "CREDIT" insert "- APPROPRIATION"

Page 4, line 29, replace "\$120,000,000" with "\$80,000,000"

Page 5, line 1, remove "over a period not to exceed thirty years from the date of issuance of the line of"

Page 5, line 2, remove "credit"

Page 5, line 5, after "appropriated" insert "out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of \$40,000,000, and"

Page 5, line 6, replace "\$120,000,000" with "\$80,000,000"

Page 5, line 6, replace the second "sum" with "sums"

ReNUMBER accordingly

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1206, HB 1290, HCR 3037.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1058, HB 1098, HB 1115, HB 1179, HB 1199, HB 1248, HB 1283, HB 1362, and HB 1369.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1194, HB 1366, HB 1407, HB 1412, HB 1417, HB 1429, HB 1454, HB 1513, and HB 1519, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1194: Reps. Rohr; D. Anderson; Dobervich

HB 1366: Reps. D. Anderson; Zubke; Mitskog

HB 1407: Reps. Weisz; Grueneich; Hanson

HB 1412: Reps. Lefor; Marschall; Eidson

HB 1417: Reps. Westlind; Fegley; Schneider

HB 1429: Reps. Owens; Heinert; Guggisberg

HB 1454: Reps. Pyle; Longmuir; Guggisberg

HB 1513: Reps. Grueneich; Blum; Eidson

HB 1519: Reps. M. Ruby; Westlind; Damschen

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2138, SB 2197, SCR 4003, SCR 4013.

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

MR. PRESIDENT: The Speaker has signed: HB 1054, HB 1101, HB 1124, HB 1175, HB 1203, HB 1354, HB 1401, HB 1415, HB 1422, HB 1507, HB 1515, HCR 3031, HCR 3041, HCR 3052, HCR 3054, HCR 3056.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2107, SB 2108, SB 2122, SB 2254, SB 2343, SCR 4008.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2109.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2138, SB 2197, SCR 4003, SCR 4013.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2107, SB 2108, SB 2122, SB 2254, SB 2343, SCR 4008.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 1, 2019: HB 1054, HB 1101, HB 1124, HB 1175, HB 1203, HB 1354, HB 1401, HB 1422, HB 1507, HB 1515.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for filing on April 1, 2019: HCR 3031, HCR 3041, HCR 3052, HCR 3054, HCR 3056.

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, April 2, 2019, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

SB 2271, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (16 YEAS, 1 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2271, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1193 of the House Journal, Engrossed Senate Bill No. 2271 is amended as follows:

Page 1, line 2, remove "; to provide a transfer; and to provide an appropriation"

Page 1, line 15, remove the overstrike over "first"

Page 1, line 15, remove the overstrike over "through its scoring and ranking"

Page 1, remove the overstrike over lines 16 through 19

Page 1, line 20, remove the overstrike over "e. The second priority in the annual allocation plan must be"

Page 2, line 25, remove the overstrike over "The housing finance agency shall maintain a register reflecting the number of housing"

Page 2, remove the overstrike over lines 26 through 28

Page 2, line 29, remove the overstrike over "8."

Page 3, line 1, remove the overstrike over "9."

Page 3, line 1, remove "8."

Page 3, line 3, remove the overstrike over "The report must include the following:"

Page 3, remove the overstrike over lines 4 through 7

Page 3, remove lines 8 through 13

Renumber accordingly

FIRST READING OF SENATE BILL

SB 2362: A BILL for an Act to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to the allocation of oil extraction tax; to provide a contingent appropriation; to provide for a transfer; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the **Finance and Taxation Committee**.

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

Buell J. Reich, Chief Clerk

