

**JOURNAL OF THE HOUSE**

**Sixty-seventh Legislative Assembly**

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**Bismarck, January 25, 2021**

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

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

The roll was called and all members were present except Representatives D. Anderson, Boe, Buffalo, Guggisberg, and Kempenich.

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. Bellew, Chairman)** has carefully examined the Journal of the Tenth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 305, remove lines 38 through 40

Page 314, line 48, replace "effect" with "affect"

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

**SIXTH ORDER OF BUSINESS**

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to HB 1096, HB 1103, HB 1157, HB 1163, HB 1218, HB 1252, and HCR 3006.

HB 1096, HB 1103, HB 1157, HB 1163, HB 1218, HB 1252, and HCR 3006, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**SECOND READING OF HOUSE RESOLUTION ON CONSENT CALENDAR**

**HCR 3011:** A concurrent resolution directing the Legislative Management to consider studying fetal alcohol spectrum disorders (FASDs), including treatment, services available, potential prevention, and whether existing policies for children and adults are appropriate.

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

HCR 3011 was declared adopted on a voice vote.

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**MOTION**

**REP. LOUSER MOVED** that HB 1439 be returned to the House floor from the **Political Subdivisions Committee** and be rereferred to the **Judiciary Committee**, which motion prevailed on a voice vote.

Pursuant to Rep. Louser's motion, HB 1439 was rereferred.

**MOTION**

**REP. LOUSER MOVED** that HB 1121 and HB 1291 be moved to the bottom of the Eleventh order, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1210:** A BILL for an Act to provide for a legislative management study of out-of-pocket expenses incurred by teachers in the state for classroom school supplies and the feasibility and desirability of creating a teacher reimbursement 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 63 YEAS, 26 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Beltz; Bosch; Boschee; Brandenburg; Devlin; Dobervich; Dockter; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Keiser; Klemin; Lefor; Louser; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Thomas; Toman; Trottier; Weisz; Westlind

**NAYS:** Becker; Bellew; Christensen; Cory; Damschen; Delzer; Ertelt; Kasper; Kiefert; Koppelman, B.; Kreidt; Longmuir; Magrum; Marschall; Paulson; Paur; Rohr; Schatz; Simons; Skroch; Steiner; Tveit; Vetter; Vigasaa; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Anderson, D.; Boe; Buffalo; Guggisberg; Kempenich

HB 1210 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1091:** A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota Century Code, relating to the use of an automated clearing house to facilitate payment; to amend and reenact subsection 1 of section 50-06-01.4, subsection 8 of section 50-11-00.1, and sections 50-11-02 and 50-11-03.2 of the North Dakota Century Code, relating to shelter care services, foster care for children, foster care approval and licensing of facilities, and the use of public funds; 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 87 YEAS, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Ertelt; Simons

**ABSENT AND NOT VOTING:** Anderson, D.; Boe; Buffalo; Guggisberg; Kempenich

Engrossed HB 1091 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1264:** A BILL for an Act to amend and reenact sections 14-09.2-01, 14-09.2-02, 14-09.2-04, and 14-09.2-06 of the North Dakota Century Code, relating to parenting coordinators.

**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, 0 NAYS, 0

EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hager; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Anderson, D.; Boe; Buffalo; Guggisberg; Kempenich; Mitskog

HB 1264 passed.

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### SECOND READING OF HOUSE BILL

**HB 1213:** A BILL for an Act to create and enact section 19-24.1-04.1 of the North Dakota Century Code, relating to medical marijuana designated caregivers; to amend and reenact subsections 8 and 13 of section 19-24.1-01, subsection 3 of section 19-24.1-04, section 19-24.1-10, paragraph 2 of subdivision d of subsection 1 of section 19-24.1-14, subsection 4 of section 19-24.1-18, subsection 2 of section 19-24.1-20, subsection 3 of section 19-24.1-26, and section 19-24.1-39 of the North Dakota Century Code, relating to the medical marijuana program; to provide for a legislative management report; to provide a penalty; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Becker; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Hager; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Bellew; Damschen; Ertelt; Karls; Tveit

**ABSENT AND NOT VOTING:** Anderson, D.; Boe; Buffalo; Guggisberg; Kempenich

HB 1213 passed and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1026:** A BILL for an Act to create and enact a new section to chapter 60-02, three new sections to chapter 60-02.1, and a new section to chapter 60-04 of the North Dakota Century Code, relating to financial criteria for grain buyer, grain broker, grain processor, and warehousemen licenses, and licensing and bonding for grain brokers and grain processors; to amend and reenact sections 60-02-01, 60-02-07, 60-02-09, 60-02-11, 60-02-12, 60-02-19.1, 60-02-24, 60-02.1-01, 60-02.1-07, 60-02.1-08, 60-02.1-10, 60-02.1-11, 60-02.1-13, 60-02.1-14, 60-02.1-15, 60-02.1-17, 60-02.1-19, 60-02.1-21, 60-02.1-23, 60-02.1-29, 60-02.1-32, and 60-02.1-41, subsection 2 of section 60-04-01, and sections 60-04-03 and 60-10-16 of the North Dakota Century

Code, relating to definitions of grain brokers and processors, the duties and powers of the commissioner, confidentiality records, scale ticket contents, credit-sale contracts, reports, annual licenses, fees, and bonds for grain buyers, grain brokers, grain processors, and warehousemen; to repeal sections 60-02.1-06, 60-02.1-07.1, 60-02.1-26, 60-02.1-27, 60-04-09, and 60-10-15; 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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Anderson, D.; Boe; Buffalo; Guggisberg; Kempenich

Engrossed HB 1026 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1263:** A BILL for an Act to amend and reenact subsection 3 of section 53-06.1-11.1 of the North Dakota Century Code, relating to eligible uses for charitable gaming net proceeds.

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

**YEAS:** Adams; Anderson, B.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; 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; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Anderson, D.; Boe; Buffalo; Guggisberg; Kempenich

Engrossed HB 1263 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1130:** A BILL for an Act to create and enact sections 40-18-14.1, 40-18-14.2, 40-18-14.3, 40-18-14.4, and 40-18-14.5 of the North Dakota Century Code, relating to the authority of the municipal court to execute judgments.

#### 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 70 YEAS, 19

NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, P.; Becker; Beltz; Bosch; Boschee; Brandenburg; Christensen; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Hager; Hager; Hanson; Headland; Heinert; Hoverson; Ista; Johnson, D.; Jones; Kading; Karls; Keiser; Kiefert; Klemin; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Richter; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Thomas; Toman; Trottier; Tveit; Vigasaa; Westlind; Zubke

**NAYS:** Bellew; Delzer; Ertelt; Hatlestad; Howe; Johnson, M.; Kasper; Koppelman, B.; Kreidt; Marschall; Pyle; Roers Jones; Rohr; Simons; Skroch; Strinden; Vetter; Weisz; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Anderson, D.; Boe; Buffalo; Guggisberg; Kempenich

Engrossed HB 1130 passed.

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### SECOND READING OF HOUSE BILL

**HB 1078:** A BILL for an Act to create and enact sections 16.1-13-35, 16.1-13-36, 16.1-13-37, 16.1-13-38, 16.1-13-39, 16.1-13-40, 16.1-13-41, 16.1-13-42, 16.1-13-43, and 16.1-13-44 and chapter 16.1-14.1 of the North Dakota Century Code, relating to presidential elections and the adoption of the Uniform Faithful Presidential Electors Act; to amend and reenact subsection 1 of section 16.1-03-14 and sections 16.1-06-06, 16.1-12-02, 16.1-14-01, 16.1-14-03, 16.1-14-08, 16.1-14-09, 16.1-14-10, 16.1-14-11, 16.1-14-12, 16.1-14-13, and 16.1-14-14 of the North Dakota Century Code, relating to nominating presidential electors and alternate electors, and presidential electors' roles and procedures; and to repeal sections 16.1-14-05, 16.1-14-18, 16.1-14-19, 16.1-14-20, 16.1-14-21, 16.1-14-22, 16.1-14-23, 16.1-14-24, 16.1-14-25, 16.1-14-26, 16.1-14-27, and 16.1-14-28 of the North Dakota Century Code, relating to the filling of a vacancy of a presidential elector and voting of new and former residents at presidential elections.

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

**YEAS:** Adams; Anderson, B.; Anderson, P.; Bellew; Beltz; Bosch; Boschee; Brandenburg; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Hager; Hager; Hanson; Hatlestad; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Christensen; Ertelt; Headland; Nelson, M.; Simons; Skroch

**ABSENT AND NOT VOTING:** Anderson, D.; Boe; Buffalo; Guggisberg; Kempenich

Engrossed HB 1078 passed.

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### SECOND READING OF HOUSE BILL

**HB 1104:** A BILL for an Act to amend and reenact section 12.1-32-09.1 of the North Dakota Century Code, relating to sentencing violent offenders; to provide for application; and to provide for retroactive application.

**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 15 YEAS, 75 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Becker; Boschee; Dobervich; Hanson; Ista; Johnson, M.; Jones; Kading; Koppelman, B.; Mock; Nelson, J.; O'Brien; Roers Jones; Simons; Weisz

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hager; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Karls; Kasper; Keiser; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Monson; Nathe; Nehring; Nelson, M.; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Buffalo; Guggisberg; Kempenich

Engrossed HB 1104 failed.

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**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: HB 1034, HB 1099, HB 1112, HB 1153, HB 1174, HB 1195, HB 1300, HB 1319.

**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 3009.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2026, SB 2074, SB 2143, SB 2168, SB 2174.

**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 2138.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause failed, and your favorable consideration is requested on: SB 2072.

**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, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, January 26, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1058: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1058 was placed on the Sixth order on the calendar.

Page 2, line 1, after "**program**" insert "**- Rulemaking**"

Page 2, after line 1 insert:

"1."

Page 2, line 3, remove "and administer"

Page 2, line 7, after the underscored period insert:

"2."

Page 2, line 11, after the underscored period insert:

"3."

Page 2, line 11, replace "require" with ":

a. Require"

Page 2, line 12, replace "or health care provider" with ", physician assistant, psychologist, or advanced practice nurse practitioner"

Page 2, line 13, after the second "condition" insert ":

b. Track the amount of leave taken by permanent state employees under the program; and

c. Adopt rules in accordance with chapter 28-32 to implement this section"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1108: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1108 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 11-11-37 and 40-01-09.1 of the North Dakota Century Code, relating to notification requirements.

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

**SECTION 1. AMENDMENT.** Section 11-11-37 of the North Dakota Century Code is amended and reenacted as follows:

#### **11-11-37. Proceedings of board of county commissioners to be published in official newspaper - When published.**

The board of county commissioners shall supply to the official newspaper of the county a full and complete report of its official proceedings at each regular and special meeting no later than seven days after the meeting at which the report is read and approved. The publisher of the official newspaper shall publish the report in the issue of the paper next succeeding the time of its reception and shall file with the county auditor an affidavit of publication executed in the proper form. Orders and vouchers for payment of moneys from the county treasury are not required to be published in the minutes or report of the official proceedings if that information otherwise is made available on the county's official website. If orders and vouchers for payment are made available on the county's official website, the publisher of the official newspaper shall publish the website address where the information is available.

**SECTION 2. AMENDMENT.** Section 40-01-09.1 of the North Dakota Century Code is amended and reenacted as follows:

**40-01-09.1. Publication of city government proceedings - Electorate to decide.**

1. Beginning with the 1996 biennial municipal elections, and every four years thereafter, all cities in North Dakota, regardless of their form of government, must put on the ballot the question of whether the minutes of its governing body shall be published in its official newspaper. If voters approve publication, the governing body shall, within seven days after each of its meetings, give its official newspaper, for publication, the complete minutes, or a complete summary showing the substantive actions taken at the meeting.
2. Roll call votes must be published, but may be indicated as "unanimous" when appropriate. A list of the individual checks written by the city and approved by the governing body, showing the payee and the amount of each check, must be published. However, employee salary checks need not be published if the governing body elects to publish an annual salary schedule for each employee. When applicable, these minutes may be labeled as being published subject to the governing body's review and revision. The minutes shall continue to be published until disapproved at a succeeding quadrennial election.
3. Individual checks written by the city are not required to be published in the minutes or report of the official proceedings if that information otherwise is made available on the city's official website. If orders and vouchers for payment are made available on the county's official website, the publisher of the official newspaper shall publish the website address where the information is available.

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1124: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1124 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1136: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1136 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1146: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1146 was placed on the Sixth order on the calendar.

Page 1, line 4, after "access" insert "; and to declare an emergency"

Page 2, after line 4, insert:

**"SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1184: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1184 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1214: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1214 was placed on the Eleventh order on the calendar.



**REPORT OF STANDING COMMITTEE**

**HB 1216: Political Subdivisions Committee (Rep. Dockter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1216 was placed on the Sixth order on the calendar.

Page 1, line 14, remove "subsection 1 of"

Page 1, line 16, replace "officers" with "officials and employees"

Page 1, line 18, replace "officers" with "officials and employees"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1223: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1223 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1336: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1336 was placed on the Sixth order on the calendar.

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

Page 1, line 9, remove "occurring after December 31, 2004"

Page 1, after line 17, insert:

**"SECTION 2. RETROACTIVE APPLICATION.** This Act applies retroactively."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1350: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1350 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1500: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1500 was placed on the Eleventh order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Porter, M. Johnson, Jones, Karls, Klemin, Mock and Sens. Hogue, Larson introduced:

**HCR 3017:** A concurrent resolution to amend and reenact section 9 of article III and section 16 of article IV of the Constitution of North Dakota, relating to voter approval for constitutional amendments.

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**

