

**JOURNAL OF THE HOUSE****Sixty-seventh Legislative Assembly**

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**Bismarck, March 15, 2021**

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

The prayer was offered by Rep. Satrom, District 12.

The roll was called and all members were present except Representative Skroch.

A quorum was declared by the Speaker.

**POINT OF PERSONAL PRIVILEGE**

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

**REMARKS OF REPRESENTATIVE BUFFALO**

**MR. SPEAKER:** On February 27, 2021, the Fargo Davies girls hockey team seized the program's first state title with a 3-2 win over North/South/Shanley Spruins. Junior defender Kaylie Zimmerman's goal, with just over two minutes left, captured the program's first state title. Davies defeated six-time defending girls hockey state champion, Bismarck Blizzard, in the semifinals to set up a meeting with the "Spruins" – the newly minted nickname for the North/South/Shanley co-op team. Coach Josh Issertell led the Fargo Davies girls hockey team in a historic season with a 21-4-1 record. Congratulations to the 2021 North Dakota High School Athletic Association girl's hockey state champions, Fargo Davies girls hockey team. As a former 800-meter state champion, I welcome you to the state champion club. Your hard work, perseverance and teamwork has inspired all of us. Also, I would like to acknowledge the hard work and job well done by the Fargo Davies girls basketball team who took second place in yesterday's state Class A championship game.

**MOTION**

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

**POINT OF PERSONAL PRIVILEGE**

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

**REMARKS OF REPRESENTATIVE SCHAUER**

**MR. SPEAKER:** On Sunday, March 14th, at the Bismarck Event Center, history repeated itself. After a 29-year drought, the West Fargo Packers, earned their third North Dakota Class A boys basketball championship with a hard-fought victory over Minot 65 to 60. The Packers were led by Carter Birrenkott's 29 points. Ironically, it was 29 years ago when Carter's dad, Mike Birrenkott, led the Packers to their second Class A championship. In that game, Mike hit a free throw that sent the game into overtime where West Fargo triumphed over, you guessed it, Minot. While we certainly recognize Minot for its many years of basketball success, it is with pride that today, March 15th, we congratulate the West Fargo Packers and the community of West Fargo for their 2020-2021 Class A boys basketball championship.

**REQUEST**

**REP. LOUSER REQUESTED** that the remarks of Rep. Schauer be printed in the Journal, which request was granted on a voice vote.

**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Rep. William Gackle, District 28

**SIXTH ORDER OF BUSINESS**

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to SB 2117, SB 2120, Engrossed SB 2263, and Engrossed SB 2317.

SB 2117, SB 2120, Engrossed SB 2263, and Engrossed SB 2317, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. LOUSER MOVED** that SB 2279 and SB 2073, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that Engrossed SB 2321, which is on the Fourteenth order, be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Rep. Louser's motion, Engrossed SB 2321 was rereferred.

**MOTION**

**REP. LOUSER MOVED** that SCR 4007 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed on a voice vote.

Pursuant to Rep. Louser's motion, SCR 4007 was rereferred.

**MOTION**

**REP. LOUSER MOVED** that SB 2282 be returned to the House floor from the **Judiciary Committee** and be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed on a voice vote.

Pursuant to Rep. Louser's motion, SB 2282 was rereferred.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 15, 2021, I have signed the following: HB 1042, HB 1051, HB 1111, HB 1159, HB 1170, HB 1174, HB 1210, and HB 1258.

**SECOND READING OF SENATE BILL**

**SB 2221:** A BILL for an Act to create and enact a new subsection to section 43-15-10 of the North Dakota Century Code, relating to the powers of the state board of pharmacy; to amend and reenact section 43-15-01 of the North Dakota Century Code, relating to the practice of pharmacy; 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, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Magrum; Martinson; Meier; Mitskog; Mock; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; 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; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Bellev; Christensen; Ertelt; Hoverson; Koppelman, B.; Marschall; Paulson

**ABSENT AND NOT VOTING:** Monson; Skroch

Engrossed SB 2221 passed and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2107:** A BILL for an Act to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to an exemption of certain internal investigation records of the department of corrections and rehabilitation.

**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, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; 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; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Ertelt; Heinert; Hoverson; Kempenich; Magrum; Schatz; Schauer; Toman

**ABSENT AND NOT VOTING:** Skroch

Engrossed SB 2107 passed.

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**SECOND READING OF SENATE BILL**

**SB 2108:** A BILL for an Act to amend and reenact subsection 3 of section 12-47-36 of the North Dakota Century Code, relating to exceptions to exempt and confidential 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 92 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; 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; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Skroch

SB 2108 passed.

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**SECOND READING OF SENATE BILL**

**SB 2028:** A BILL for an Act to repeal sections 15.1-02-20, 15.1-03-03, 15.1-06-18, 15.1-21-02.7, 15.1-21-06, and 15.1-21-12 of the North Dakota Century Code, relating to education stabilization fund usage, the revolving printing fund, school reports, scholarships for 2009-10 high school graduates, district participation in the Goals 2000 Educate America Act, and a report on the use of state funds for professional development.

**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 92 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemm; 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; Steiner; Stemen; Strinden; Thomas; Toman; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Skroch

SB 2028 passed.

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### SECOND READING OF SENATE BILL

**SB 2140:** A BILL for an Act to create and enact section 15-10-43.2 of the North Dakota Century Code, relating to professional student exchange program repayment; to repeal section 15-10-43.1 of the North Dakota Century Code, relating to professional student exchange program repayment; to provide for a legislative management study; 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 53 YEAS, 39 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boschee; Brandenburg; Buffalo; Christensen; Damschen; Devlin; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Kempenich; Kiefert; Longmuir; Magrum; Marschall; Mock; Nathe; Nelson, M.; Owens; Pollert; Pyle; Richter; Roers Jones; Ruby, D.; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Thomas; Trottier; Vigasaa; Weisz; Westlind; Zubke

**NAYS:** Becker; Bellew; Boe; Bosch; Cory; Delzer; Dobervich; Dockter; Ertelt; Hatlestad; Kading; Kasper; Keiser; Klemm; Koppelman, B.; Kreidt; Lefor; Louser; Martinson; Meier; Mitskog; Monson; Nehring; Nelson, J.; O'Brien; Ostlie; Paulson; Paur; Porter; Rohr; Ruby, M.; Sanford; Schatz; Schmidt; Steiner; Toman; Tveit; Vetter; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Skroch

Engrossed SB 2140 passed but the emergency clause failed.

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### SECOND READING OF SENATE BILL

**SB 2136:** A BILL for an Act to amend and reenact section 15.1-21-02.4, subdivision a of subsection 6 of section 15.1-21-02.5, and sections 15.1-21-02.6 and 15.1-21-02.8 of the North Dakota Century Code, relating to scholarship eligibility requirements and amounts for students; to repeal section 15.1-21-02.7 of the North Dakota Century Code, relating to scholarships for 2009-10 high school graduates; 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 87 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Devlin; Dobervich; Dockter; Ertelt;

Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; 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:** Boe; Christensen; Delzer; Magrum; Paur

**ABSENT AND NOT VOTING:** Skroch

Engrossed SB 2136 passed and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2147:** A BILL for an Act to amend and reenact sections 15.1-21-02.2 and 15.1-21-02.3 of the North Dakota Century Code, relating to high school graduation and curriculum requirements.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; 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; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Ertelt; Magrum; Schatz

**ABSENT AND NOT VOTING:** Skroch

Engrossed SB 2147 passed.

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### SECOND READING OF SENATE BILL

**SB 2196:** A BILL for an Act to create and enact a new subdivision to subsection 7 of section 15.1-01-04 of the North Dakota Century Code, relating to the duties of the kindergarten through grade twelve education coordination council; and to amend and reenact subsection 1 of section 15.1-01-03, section 15.1-02-04, subsection 3 of section 15.1-21-02, and section 15.1-21-03 of the North Dakota Century Code, relating to the establishment of a North Dakota learning continuum and to instructional time and unit requirements.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson;

Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; 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; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Ertelt; Magrum

**ABSENT AND NOT VOTING:** Skroch

Engrossed SB 2196 passed.

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### SECOND READING OF SENATE BILL

**SB 2047:** A BILL for an Act to amend and reenact section 9-15.2-13 of the North Dakota Century Code, relating to conduct prohibited under the Revised Uniform Athlete Agents Act; and to provide a penalty.

### 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 90 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; 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; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Magrum

**ABSENT AND NOT VOTING:** Hoverson; Skroch

SB 2047 passed.

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### SECOND READING OF SENATE BILL

**SB 2060:** A BILL for an Act to amend and reenact sections 43-06-01, 43-06-02, 43-06-04, 43-06-04.1, 43-06-05, 43-06-08, 43-06-09, 43-06-10.1, 43-06-11, 43-06-13, 43-06-15, 43-06-16.1, and 43-06-18 of the North Dakota Century Code, relating to the state board of chiropractic examiners and the practice of chiropractic; and to repeal sections 43-06-10 and 43-06-12 of the North Dakota Century Code, relating to the state board of chiropractic examiners and the practice of chiropractic.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.;

Kreidt; Lefor; Longmuir; Louser; 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; Steiner; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Ertelt; Magrum; Toman

**ABSENT AND NOT VOTING:** Skroch

Engrossed SB 2060, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2202:** A BILL for an Act to amend and reenact subsection 36 of section 57-02-08 of the North Dakota Century Code, relating to a property tax exemption for property leased for the provision of early childhood or adult day care services; 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 80 YEAS, 12 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson, D.; Becker; Boe; Bosch; Headland; Hoverson; Nehring; Ostlie; Paur; Pollert; Toman; Trottier

**ABSENT AND NOT VOTING:** Skroch

SB 2202, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2328:** A BILL for an Act to create and enact a new section to chapter 57-51.1 of the North Dakota Century Code, relating to a credit for oil produced from a well site using an onsite flare mitigation system; to provide for application; and to provide an expiration 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 89 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; 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; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Hoverson; Magrum

**ABSENT AND NOT VOTING:** Skroch

Engrossed SB 2328, as amended, passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2167:** A BILL for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota Century Code, relating to jurisdiction of law enforcement officers employed by Bismarck state college.

#### **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 78 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Lefor; Longmuir; Louser; 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, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Bellew; Delzer; Devlin; Ertelt; Kading; Koppelman, B.; Kreidt; Magrum; Marschall; Ruby, D.; Schauer; Vetter; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Schatz; Skroch

SB 2167 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 2076, SB 2243.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2299.

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2200.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1157, HB 1230, HB 1381.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1300.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1278, HB 1316, HB 1332, HB 1343, HB 1351, HB 1402, HCR 3013.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2061, SB 2075, SB 2105, SB 2106, SB 2111, SB 2134, SB 2152, SB 2224.



**MOTION**

**REP. LOUSER MOVED** that the absent member 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 16, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2058: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2058 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2131, as engrossed: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2131 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2208, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2208 was placed on the Sixth order on the calendar.

Page 1, line 14, after the semicolon insert "reviewing the cost-share for additional assessment drains across the state;"

Page 1, line 20, replace "nine" with "eleven"

Page 1, line 20, replace "eight" with "nine"

Page 2, line 3, replace "Five" with "Seven"

Page 2, line 4, replace "One member" with "Two members"

Page 2, line 7, remove "and"

Page 2, line 9, after the semicolon insert "and

- (6) A road superintendent or engineer selected by the voting members in paragraphs 1 through 5;"

Page 2, after line 15, insert:

"h. The state engineer or the state engineer's designee who is a nonvoting member;"

Page 2, line 16, replace "h." with "i."

Page 2, line 17, replace "i." with "j."

Page 2, line 19, replace "j." with "k."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2213, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2213 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2230, as engrossed: Agriculture Committee (Rep. D. Johnson, 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 2230 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "seventy-five" with "one hundred"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2242**, as engrossed: **Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2242 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 section 51-35-01, subsection 1 of section 51-35-02, and section 51-35-04 of the North Dakota Century Code, relating to scrap metal dealers; and to provide a penalty.

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

**SECTION 1. AMENDMENT.** Section 51-35-01 of the North Dakota Century Code is amended and reenacted as follows:

##### **51-35-01. Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "Alloy" means a combination of a metal and carbon or other metals.
2. "Business records" means records of any purchase or transaction that involves the receipt of scrap metals made in the ordinary course of business and includes written receipts, books or similar records, or electronically stored records, but does not include correspondence, tax returns, or financial statements.
3. "Core recycler" means a person that buys used individual catalytic converters previously removed from a motor vehicle. The term includes a recycler, junk dealer, valuable metal dealer, and a pawn shop.
- ~~4.~~ "Ferrous metals" means those metals that will attract a magnet, and includes alloys of those metals.
- ~~4-5.~~ "Law enforcement officer" or "peace officer" means a public servant authorized by law or by a government agency or branch to enforce the law and to conduct or engage in investigations or prosecutions for violations of law.
- ~~5-6.~~ "Nonferrous metals" means those metals that will not normally attract a magnet, including copper, brass, aluminum, bronze, lead, zinc, platinum, and nickel and includes alloys of those metals. The term includes a used catalytic converter previously removed from a motor vehicle.
- ~~6-7.~~ "Scrap metal" means ferrous or nonferrous metals purchased primarily for reuse or recycling, including metals combined with other materials at the time of purchase or acquisition, and including insulated and uninsulated wire and cable. Scrap metal does not include automobiles, automobile hulks, or any aluminum food or beverage containers.
- ~~7-8.~~ "Scrap metal dealer" means a person, as defined in subsection 8 of section 1-01-49, engaged in the business of purchasing, selling, trading, or bartering scrap metal, and includes all employees of the scrap metal dealer. The term includes a core recycler.

**SECTION 2. AMENDMENT.** Subsection 1 of section 51-35-02 of the North Dakota Century Code is amended and reenacted as follows:

1. Every scrap metal dealer shall keep business records of any purchase, trade, barter, or other transaction that involves the receipt of scrap metals worth over twenty-five dollars. The business records must include the following information:
  - a. The date, time, and place of each purchase or transaction;
  - b. A description of the scrap metal received and the weight and type of scrap metal received;
  - c. The amount paid to the person selling or delivering the scrap metal and the manner of payment, including check or electronic transfer;
  - d. The name and address of the person selling or delivering the scrap metal; ~~and~~
  - e. A photocopy of a valid government-issued identification card or driver's license and which must include the seller's or deliverer's full name, photograph, date of birth, and signature; and
  - f. For the purchase of a used catalytic converter previously removed from a motor vehicle, in whole or in part, a photocopy of the seller's certificate of title, certificate of registration, a receipt from a transaction of repair, or a bill of sale for the motor vehicle from which the catalytic converter was removed. This subdivision does not apply if the seller is a used parts dealer, an automotive repair business, or a licensed business that in the regular course of business collects, stores, or sells a catalytic converter or any other motor vehicle part.

**SECTION 3. AMENDMENT.** Section 51-35-04 of the North Dakota Century Code is amended and reenacted as follows:

**51-35-04. Penalty.**

1. A scrap metal dealer who willfully fails to comply with section 51-35-02 is guilty of a class B misdemeanor for a first offense. For a subsequent offense involving a used catalytic converter previously removed from a motor vehicle, a scrap metal dealer is guilty of a class B misdemeanor and the court shall order the dealer to cease engaging in the business of a scrap metal dealer for a period of one year.
2. A scrap metal dealer who willfully buys, receives, possesses, or conceals stolen scrap metal, and the scrap metal is less than five hundred dollars in value is guilty of a class A misdemeanor.
3. A scrap metal dealer who willfully buys, receives, possesses, or conceals stolen scrap metal, and the scrap metal exceeds five hundred dollars in value, is guilty of a class C felony."

Renumber accordingly

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

**Buell J. Reich, Chief Clerk**

