

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

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**Bismarck, January 31, 2023**

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

The prayer was offered by Pastor Les Wolfgram, Shepherd of the Valley Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Davis and Sanford.

A quorum was declared by the Speaker.

**POINT OF PERSONAL PRIVILEGE**

**REP. D. RUBY** rose on a point of personal privilege.

**REMARKS OF REPRESENTATIVE D. RUBY**

**MR. SPEAKER:** Mr. Speaker, yesterday was a sad day for those who knew and/or served with former Representative Matt Klein, who left this world to meet his Creator.

Matt Klein served in this body from 1993-2016 representing District 40 in Minot and surrounding areas.

He served on several committees during his tenure including the Industry, Business and Labor, Political Subdivisions, Finance and Taxation, and Capitol Grounds Planning committees among others. Most notable, Matt served as the Speaker of the House in the 2005 session.

He served in the US Air Force; he was married to his wife Isabelle and together they raised six daughters. For his career he was an electrical engineer working for many military and government agencies including the Apollo Spacecraft Program, the Minuteman Missile Program and many more.

As a Representative, Matt's floor speeches were usually short and to the point. They were always memorable as he would usually end them with, "Support your committee, vote green" or "It's a bad bill, kill it."

Mr. Speaker, I would like to offer, as my final comments today, this prayer. Eternal rest grant unto him, O Lord, and let Your perpetual light shine upon him. May his soul and the souls of all the faithful departed, rest in peace. Amen.

**REQUEST**

**REP. BOSCH REQUESTED** that the remarks of Rep. D. Ruby be printed in the Journal, which request was granted.

**MOTION**

**REP. BOSCH MOVED** that after action taken on the Sixth order, HB 1062, HB 1086, HB 1192, HB 1202, HB 1353, and HB 1373 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

**SPEAKER D. JOHNSON DEEMED** approval of the amendments to HB 1062, HB 1086, HB 1192, HB 1202, HB 1234, HB 1353, and HB 1373.

HB 1062, HB 1086, HB 1192, HB 1202, HB 1353, and HB 1373, as amended, were placed on the Eleventh order of business on the calendar.

HB 1234, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**SECOND READING OF HOUSE BILL**

**HB 1313:** A BILL for an Act to amend and reenact section 54-35-06 of the North Dakota Century Code, relating to the chairman and vice chairman of the legislative management; to provide for application; and to declare an emergency.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Brandenburg; Christensen; Christy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; McLeod; Meier; Monson; Motschenbacher; Murphy; Nathe; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Boschee; Conmy; Finley-DeVillie; Hager; Hanson; Ista; Karls; Martinson; Mitskog; Mock; Nelson; Roers Jones; Schneider

**ABSENT AND NOT VOTING:** Davis

Engrossed HB 1313 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1360:** A BILL for an Act to amend and reenact sections 47-30.2-24 and 47-30.2-39 of the North Dakota Century Code, relating to the revised uniform unclaimed property act.

**ROLL CALL**

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Davis

Engrossed HB 1360 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1280:** A BILL for an Act to create and enact a new subsection to section 39-06.1-11 and sections 39-06-36.1 and 54-12-27.1 of the North Dakota Century Code, relating to temporary restricted licenses, restoration of revoked or suspended licenses upon successful completion of drug court, and partial suspension of twenty-four seven sobriety program for drug court program participants; to amend and reenact subsections 3 and 7 of section 39-06.1-11 of the North Dakota Century Code, relating to temporary restricted licenses; and to declare an emergency.

**ROLL CALL**

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Davis; Hoverson; Olson, J.

Engrossed HB 1280 passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1120:** A BILL for an Act to amend and reenact sections 11-11-05 and 15.1-09-30, subsection 5 of section 15.1-19-03.1, and sections 40-06-02, 49-01-07, 54-16-01, and 54-17-02 of the North Dakota Century Code, relating to the recitation of the pledge of allegiance.

**ROLL CALL**

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Davis; Hoverson; Olson, J.

Engrossed HB 1120 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1172:** A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to the pledge of allegiance.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper;

Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Boschee; Dobervich; Hanson; Schneider

**ABSENT AND NOT VOTING:** Davis; Mitskog; Olson, J.

Engrossed HB 1172 passed.

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### SECOND READING OF HOUSE BILL

**HB 1326:** A BILL for an Act to amend and reenact subsection 2 of section 23-02.1-27 of the North Dakota Century Code, relating to access to death records.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Hager

**ABSENT AND NOT VOTING:** Davis; Olson, J.

Engrossed HB 1326 passed.

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### SECOND READING OF HOUSE BILL

**HB 1346:** A BILL for an Act to amend and reenact subsection 3 of section 39-24-04 and section 39-24-11 of the North Dakota Century Code, relating to snowmobile registration exemption and penalties; 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 74 YEAS, 18 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Fegley; Finley-DeVillie; Fisher; Grueneich; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Ista; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Marschall; Martinson; McLeod; Mitskog; Mock; Monson; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Speaker Johnson, D.

**NAYS:** Christensen; Dyk; Frelich; Hagert; Heilman; Henderson; Holle; Hoverson; Johnson, J.; Louser; Meier; Motschenbacher; Prichard; Rios; Schatz; Timmons; Toman; Weisz

**ABSENT AND NOT VOTING:** Davis; Olson, J.

Engrossed HB 1346 passed.

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### SECOND READING OF HOUSE BILL

**HB 1316:** A BILL for an Act to create and enact a new section to chapter 39-10.1 of the North Dakota Century Code, relating to multipassenger bicycles; to amend and reenact sections 39-01-01, 39-08-01, 39-08-18, and 39-10.1-08 of the North Dakota Century Code, relating to definitions relating to multipassenger bicycles, driving while under the influence of intoxicating liquor, open container prohibition, and exempting multipassenger bicycles from the point system; to provide a penalty; and to declare an emergency.

### 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, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heilman; Heinert; Holle; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Anderson, K.; Bellew; Dyk; Hauck; Henderson; Hoverson; Prichard

**ABSENT AND NOT VOTING:** Davis; Olson, J.

Engrossed HB 1316 passed and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1212:** A BILL for an Act to amend and reenact subsection 1 of section 15-10-18.2, subdivision j of subsection 2 of section 39-04-18, subsection 1 of section 57-02-08.8, and subsection 1 of section 57-40.3-04 of the North Dakota Century Code, relating to benefits for surviving spouses of disabled veterans; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVile; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Davis; Olson, J.

HB 1212 passed.

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### SECOND READING OF HOUSE BILL

**HB 1250:** A BILL for an Act to amend and reenact sections 37-19.1-01 and 37-19.1-04 of the North Dakota Century Code, relating to the definition of designated electronic communication and the procedural requirements for refusing veterans preference.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Christensen

**ABSENT AND NOT VOTING:** Davis; Olson, J.

HB 1250 passed.

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### SECOND READING OF HOUSE BILL

**HB 1202:** A BILL for an Act to create and enact section 19-24.1-24.1 and a new subsection to section 19-24.1-36 of the North Dakota Century Code, relating to regulating edible medical marijuana products; to amend and reenact section 19-24.1-01 of the North Dakota Century Code, relating to definitions relating to medical marijuana products; to provide a contingent effective date; and to declare an emergency.

### 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 55 YEAS, 37 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, K.; Bahl; Beltz; Boschee; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Fegley; Finley-DeVillie; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Headland; Heilman; Henderson; Holle; Ista; Jonas; Kasper; Klemin; Koppelman; Lefor; Louser; Marschall; Meier; Mitskog; Mock; Nelson; Novak; O'Brien; Ostlie; Prichard; Pyle; Richter; Rios; Roers Jones; Ruby, D.; Ruby, M.; Schatz; Schneider; Schreiber-Beck; Steiner; Swiontek; Thomas; Toman; Vetter; Warrey; Speaker Johnson, D.

**NAYS:** Anderson, B.; Anderson, D.; Bellew; Bosch; Brandenburg; Dyk; Fisher; Hauck; Heinert; Hoverson; Johnson, J.; Karls; Kempenich; Kiefert; Kreidt; Longmuir; Martinson; McLeod; Monson; Motschenbacher; Murphy; Nathe; Olson, S.; Porter; Rohr; Sanford; Satrom; Schauer; Schobinger; Stemen; Strinden; Timmons; Tveit; VanWinkle; Vigesaa; Wagner; Weisz

**ABSENT AND NOT VOTING:** Davis; Olson, J.

Engrossed HB 1202 failed for lack of a two-thirds majority.

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**SECOND READING OF HOUSE BILL**

**HB 1164:** A BILL for an Act to create and enact a new section to chapter 19-24.1 of the North Dakota Century Code, relating to limitations on cannabinoid edible products; and to amend and reenact section 19-24.1-01 of the North Dakota Century Code, relating to the definition of cannabinoid edible products.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 20 YEAS, 72 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bahl; Boschee; Christensen; Conmy; Cory; Dobervich; Finley-DeVill; Hager; Hanson; Henderson; Ista; Meier; Mitskog; Mock; O'Brien; Prichard; Ruby, M.; Schneider; Steiner; Vetter

**NAYS:** Anderson, B.; Anderson, D.; Anderson, K.; Bellew; Beltz; Bosch; Brandenburg; Christy; Dakane; Dockter; Dyk; Fegley; Fisher; Frelich; Grueneich; Hager; Hatlestad; Hauck; Headland; Heilman; Heinert; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schauer; Schobinger; Schreiber-Beck; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Davis; Olson, J.

HB 1164 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1498:** A BILL for an Act to amend and reenact subsection 60 of section 57-39.2-04 and subsection 27 of section 57-40.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for certain sales made to senior citizen organizations; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVill; Fisher; Frelich; Grueneich; Hager; Hager; Hanson; Hatlestad; Hauck; Headland; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Christensen; Heilman; Timmons

**ABSENT AND NOT VOTING:** Davis; Olson, J.

HB 1498 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1456:** A BILL for an Act to amend and reenact subdivision a of subsection 12 of section 57-39.2-01 of the North Dakota Century Code, relating to the definition of gross receipts for purposes of sales tax calculation.

**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 31 YEAS, 61 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Beltz; Bosch; Boschee; Brandenburg; Cory; Dobervich; Dockter; Finley-DeVillie; Fisher; Grueneich; Hagert; Hanson; Hatlestad; Headland; Ista; Lefor; McLeod; Mitskog; Mock; Motschenbacher; Murphy; Nathe; Nelson; O'Brien; Roers Jones; Schauer; Schneider; Schreiber-Beck; Strinden; Warrey

**NAYS:** Anderson, B.; Anderson, K.; Bahl; Bellew; Christensen; Christy; Conmy; Dakane; Dyk; Fegley; Frelich; Hager; Hauck; Heilman; Heinert; Henderson; Holle; Hoverson; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Longmuir; Louser; Marschall; Martinson; Meier; Monson; Novak; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schobinger; Steiner; Stemen; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Davis; Olson, J.

HB 1456 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1192:** A BILL for an Act to amend and reenact subsection 5 of section 16.1-05-04, section 16.1-06-03, subsection 8 of section 16.1-06-14, sections 16.1-06-15 and 16.1-06-20, subsection 1 of section 16.1-07-13.1, and sections 16.1-11.1-06, 16.1-14-04, 16.1-15-02, 16.1-15-22, 16.1-15-25, and 40-21-09 of the North Dakota Century Code, relating to electronic voting systems, electronic voting devices, absentee voting, meeting of presidential electors, and canvassing boards.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVillie; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Christensen; Heilman; Prichard; VanWinkle

**ABSENT AND NOT VOTING:** Davis; Olson, J.; Rios

Engrossed HB 1192 passed.



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**SECOND READING OF HOUSE BILL**

**HB 1086:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to an exception to the Administrative Agencies Practice Act; and to amend and reenact sections 54-59-09, 54-59-22, and subsection 2 of section 54-59-22.1 of the North Dakota Century Code, relating to information technology standards and services.

**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, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Novak; O'Brien; Olson, S.; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Toman; Tveit; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Christensen; Heilman; Henderson; Kasper; Nelson; Prichard; Rios; Timmons; VanWinkle

**ABSENT AND NOT VOTING:** Davis; Olson, J.

Engrossed HB 1086 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1062:** A BILL for an Act to amend and reenact section 54-17-03, subsection 8 of section 54-17-07.3, section 54-17-07.9, and subsection 2 of section 54-63-03 of the North Dakota Century Code, relating to updating position titles, clarification for mortgage insurance requirements, execution of instruments, and industrial commission powers.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**NAYS:** Christensen

**ABSENT AND NOT VOTING:** Davis; Olson, J.

Engrossed HB 1062 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1353:** A BILL for an Act to amend and reenact section 49-05-17 of the North Dakota Century Code, relating to resource planning.

**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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Bellew; Beltz; Bosch; Boschee; Brandenburg; Christensen; Christy; Conmy; Cory; Dakane; Dobervich; Dockter; Dyk; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heilman; Heinert; Henderson; Holle; Hoverson; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, S.; Ostlie; Porter; Prichard; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Timmons; Toman; Tveit; VanWinkle; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

**ABSENT AND NOT VOTING:** Davis; Olson, J.

Engrossed HB 1353 passed.

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

**MADAM PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1144, HB 1203, HB 1256, HB 1265, HB 1272, HB 1292, HB 1424, HB 1431.

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

**MADAM PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1232.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2036, SB 2146, SB 2164, SB 2173, SB 2214, SB 2292, SB 2320, SB 2324.

**MOTION**

**REP. BOSCH MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**REP. BOSCH 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., Wednesday, February 1, 2023, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1106: Industry, Business and Labor Committee (Rep. Louser, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1106 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1107: Industry, Business and Labor Committee (Rep. Louser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1107 was placed on the Sixth order on the calendar.

Page 4, line 25, remove the overstrike over "or"

Page 4, line 25, remove the underscored comma

Page 4, line 26, remove "or perform an appraisal review for a property located in this state."

Page 5, line 2, remove "value or as"

Page 5, after line 5, insert:

"5. This chapter does not apply to a person employed by the Bank of North Dakota when providing evaluations or appraisal reviews for federally insured depository institutions under federal financial institution regulatory agency appraisal exemptions."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1124: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1124 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1137: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1137 was placed on the Sixth order on the calendar.

Page 1, line 12, remove the second "and"

Page 1, line 12, after "27-20.4-26" insert ", and section 27-20.4-27"

Page 43, after line 14, insert:

**"SECTION 40. AMENDMENT.** Section 27-20.4-27 of the North Dakota Century Code is amended and reenacted as follows:

**~~27-20.4-27. Tribal juvenile services cooperative agreement -Report to legislative management. (Expired effective July 31, 2023)~~**

4- The department of corrections and rehabilitation, through the division of juvenile services; the supreme court, through the office of the state court administrator; and the Indian affairs commission may negotiate and enter a memorandum of understanding with the tribal government of a federally recognized Indian tribe in the state for the purpose of accepting and providing for, in accordance with this chapter, the treatment and rehabilitation of tribal juveniles who have been adjudicated in tribal court under tribal or federal laws. Under the pilot program and terms of a memorandum of understanding:

- a-1. The tribal government, the department of corrections and rehabilitation, and the juvenile court may exchange information relevant to the treatment and rehabilitation needs of a tribal juvenile and the juvenile's family, including tribal court orders, medical and psychiatric reports, law enforcement reports, and other information pertinent to the referral;
- b-2. The juvenile court and the department of corrections and rehabilitation shall provide services based on the individualized need of each tribal juvenile referred to and accepted by the tribal court, juvenile court, and department of corrections and rehabilitation;
- e-3. The juvenile court and the department of corrections and rehabilitation shall maintain regular contact with the tribe regarding each tribal juvenile who has been placed in the supervision of the respective agency; and
- d-4. The juvenile court and the department of corrections and rehabilitation may limit the number of tribal juveniles accepted based on criteria developed by the juvenile court and the availability of state resources and services.

- 2- ~~Before July first of each even-numbered year, the department of corrections and rehabilitation, the juvenile court, and the Indian affairs commission shall report and make recommendations to the legislative management on the status, effectiveness, performance, and sustainability of a memorandum of understanding established under this section."~~

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1189: Industry, Business and Labor Committee (Rep. Louser, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1189 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1195: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1195 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1263: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1263 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1264: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1264 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1268: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1268 was placed on the Sixth order on the calendar.

Page 2, line 11, after the first period insert "Service of the hearing notice, for a protection order under this section or for an ex parte temporary protection order under section 14-07.1-03, must be attempted by personal service before service by publication under rule 4 of the North Dakota Rules of Civil Procedure may be attempted."

Page 2, line 11, after the comma insert "or if additional time is required to complete service by publication."

Page 2, line 11, remove "The protection order"

Page 2, remove lines 12 and 13

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1279: Political Subdivisions Committee (Rep. Longmuir, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1279 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 create and enact section 65-01-15.2 of the North Dakota Century Code, relating to compensability for cardiac events for firefighters and law enforcement officers; to amend and reenact sections 65-01-15 and 65-01-15.1 of the North Dakota Century Code, relating to documentation required for firefighters and law enforcement officers and the presumption of compensability for firefighters and law enforcement officers; to provide for retroactive application; and to declare an emergency.

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

**SECTION 1. AMENDMENT.** Section 65-01-15 of the North Dakota Century Code is amended and reenacted as follows:

**65-01-15. Yearly documentation required for firefighter and law enforcement officer.**

Except for benefits for an exposure to a bloodborne pathogen as defined by section 23-07.5-01 occurring in the course of employment, a full-time paid firefighter or law enforcement officer who uses tobacco is not eligible for the benefits provided under ~~section~~sections 65-01-15.1 and 65-01-15.2, unless the full-time paid firefighter or law enforcement officer provides yearly documentation from a health care provider which indicates the full-time paid firefighter or law enforcement officer has not used tobacco for the preceding two years.

**SECTION 2. AMENDMENT.** Section 65-01-15.1 of the North Dakota Century Code is amended and reenacted as follows:

**65-01-15.1. Presumption of compensability for certain conditions of full-time paid firefighters and law enforcement officers.**

1. Any condition or impairment of health of a full-time paid firefighter or law enforcement officer caused by lung or respiratory disease, hypertension, heart disease, or an exposure to a bloodborne pathogen as defined by section 23-07.5-01 occurring in the course of employment, or occupational cancer in a full-time paid firefighter, is presumed to have been suffered in the line of duty. The presumption may be rebutted by clear and convincing evidence the condition or impairment is not work-related.
2. As used in this section, an occupational cancer is one which arises out of employment as a full-time paid firefighter and is due to injury due to exposure to smoke, fumes, or carcinogenic, poisonous, toxic, or chemical substances while in the performance of active duty as a full-time paid firefighter.
3. A full-time paid firefighter or law enforcement officer is not eligible for the benefit provided under this section unless that full-time paid firefighter or law enforcement officer has completed five years of continuous service and has successfully passed a medical examination which fails to reveal any evidence of such a condition. The five years of continuous service requirement may include full-time paid service outside the state. An employer shall ~~require~~provide at no expense a medical examination upon employment, for any employee subject to this section.
  - a. After the initial medical examination, an employer shall requireprovide at no expense at least a periodic medical examination as follows: for one to ten years of service, every five years; for eleven to twenty years of service, every three years; and for twenty-one or more years of service, every year. The periodic medical examination, at a minimum, must consist of a general medical history of the individual and the individual's family; an occupational history including contact with and an exposure to hazardous materials, toxic products, contagious and infectious diseases, and to physical hazards; a physical examination including measurement of height, weight, and blood pressure; and laboratory and diagnostic procedures ~~including a nonfasting total blood-cholesterol test~~indicating cardiovascular health to a reasonable degree of medical certainty.
  - b. If the medical examination reveals that an employee falls into a recognized risk group, the employee must be referred to a qualified health professional for future medical examination.
  - c. If a medical examination produces a false positive result for a condition covered under this section, the organization shall consider

the condition to be a compensable injury. In the case of a false positive result, neither the coverage of the condition nor the period of disability may exceed fifty-six days. This section does not affect an employee's responsibility to document that the employee has not used tobacco as required under section 65-01-15. Results of the examination must be used in rebuttal to a presumption afforded under this section.

4. For purposes of this section, "law enforcement officer" means ~~a person~~ an individual who is licensed to perform peace officer law enforcement duties under chapter 12-63 and is employed full time by the bureau of criminal investigation, the game and fish department, the state highway patrol, the parole and probation division, the North Dakota state university police department, the North Dakota state college of science police department, the university of North Dakota police department, a county sheriff's department, a city police department, or the parks and recreation department pursuant to section 55-08-04.
5. The presumption does not include a condition or impairment of health of a full-time paid firefighter or law enforcement officer, who has been employed for ten years or less, if the condition or impairment is diagnosed more than two years after the employment as a full-time paid firefighter or law enforcement officer ends. The presumption also does not include a condition or impairment of health of a full-time paid firefighter or law enforcement officer, who has been employed more than ten years, if the condition or impairment is diagnosed more than five years after the employment as a full-time paid firefighter or law enforcement officer ends.

**SECTION 3.** Section 65-01-15.2 of the North Dakota Century Code is created and enacted as follows:

**65-01-15.2. Presumption of compensability for cardiac events of full-time paid firefighters and law enforcement officers.**

1. A heart attack, stroke, vascular rupture, or other similar cardiac event, is presumed to be a compensable injury when a full-time paid firefighter or law enforcement officer:
  - a. Engages in a situation involving strenuous physical law enforcement activity, fire suppression activity, or emergency response activity, or participates in a training exercise involving strenuous physical activity; and
  - b. The heart attack, stroke, vascular rupture, or other similar cardiac event occurs no later than forty-eight hours after the full-time paid firefighter or law enforcement officer engaged or participated in the activity listed under subdivision a.
2. The presumption under subsection 1 may be rebutted by clear and convincing evidence the condition or impairment was not work-related.
3. This section applies to any full-time paid firefighter or law enforcement officer who has less than five years of continuous service.
4. A full-time paid firefighter or law enforcement officer is not eligible for the benefit provided under this section unless the full-time paid firefighter or law enforcement officer has successfully passed a medical examination that failed to reveal any evidence of a cardiovascular condition.
5. For purposes of this section, "law enforcement officer" means an individual who is licensed to perform peace officer law enforcement duties under chapter 12-63 and is employed full-time by the bureau of criminal investigation, the game and fish department, the state highway patrol, the parole and probation division, the North Dakota state

university police department, the North Dakota state college of science police department, the university of North Dakota police department, a county sheriff's department, a city police department, or the parks and recreation department pursuant to section 55-08-04.

**SECTION 4. RETROACTIVE APPLICATION.** This Act applies retroactively to a claim for workers' compensation benefits filed after October 1, 2021, regardless of date of injury. A full-time paid firefighter or law enforcement officer who submitted a claim for benefits between October 1, 2021, and the effective date of this Act may resubmit the claim if the initial claim was denied by the organization for not being a compensable injury.

**SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1298: Industry, Business and Labor Committee (Rep. Louser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1298 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for application;"

Page 1, line 9, replace "proof" with "a copy of a certificate"

Page 1, line 10, replace "is" with "naming the department as the certificate holder."

Page 1, line 11, remove "and property damage"

Page 1, line 12, remove "An owner or operator of an early childhood program shall notify the department not"

Page 1, line 13, replace "later than ten days after cancellation or termination of the" with "The"

Page 1, line 13, after "policy" insert "must provide a minimum of three hundred thousand dollars per occurrence"

Page 1, after line 13, insert:

**"SECTION 2. APPLICATION.** The owner or operator of an early childhood program with an existing license under chapter 50-11.1 as of January 1, 2024, shall provide the department of health and human services proof of liability insurance as required under section 1 of this Act within ten days of the effective date of this Act."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1300: Education Committee (Rep. Heinert, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1300 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1329: Education Committee (Rep. Heinert, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1329 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1344: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1344 was placed on the Sixth order on the calendar.

Page 1, line 16, remove "including the defeat of a legislative"

Page 1, line 17, remove "measure"

Page 3, line 9, overstrike "and" and insert immediately thereafter "or"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1347: Industry, Business and Labor Committee (Rep. Louser, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1347 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1348: Education Committee (Rep. Heinert, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1348 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1374: Industry, Business and Labor Committee (Rep. Louser, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1374 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1381: Industry, Business and Labor Committee (Rep. Louser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1381 was placed on the Sixth order on the calendar.

Page 2, after line 16, insert:

"e. Does not prohibit the transportation network company driver from using a vehicle with an internal combustion engine."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1397: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1397 was placed on the Sixth order on the calendar.

Page 1, line 10, after "Building" insert "or for the construction of a new building"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1400: Industry, Business and Labor Committee (Rep. Louser, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1400 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1444: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1444 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1482: Industry, Business and Labor Committee (Rep. Louser, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1482 was placed on the Eleventh order on the calendar.

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

**Buell J. Reich, Chief Clerk**