

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

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Bismarck, March 21, 2017

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

The prayer was offered by Pastor Paul Herr, Century Baptist Church, Bismarck.

The roll was called and all members were present except Representatives Kempenich and D. Ruby.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. TROTTIER rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE TROTTIER

MR. SPEAKER: Mr. Speaker and Members of the Assembly

It is my honor and privilege to have sitting at my side, 7th grader, Rayne Korsmo and his mother, Debbie Korsmo and Rayne's younger brother Bennet on my right. Rayne just yesterday, won the North Dakota State Spelling Bee competition, here in Bismarck, Rayne will now compete in the National Spelling Bee contest in Washington, D.C.

Rayne's older brother Ty Korsmo, who is now a high school senior, won the competition in 2012, and also competed in the national contest in Washington, D.C.

Rayne's mom home schools all four of her children.

Rayne's parents, Mark & Debbie farm in the Northwood area.

Mark and Debbie have 4 children, therefore they can now claim half of their children have won the North Dakota State Spelling Bee competition.

I would like to offer my congratulations to Rayne and the family for this notable achievement.

REQUEST

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

POINT OF PERSONAL PRIVILEGE

REP. LEFOR rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE LEFOR

MR. SPEAKER: Thank you Mr. Speaker.

Having lived in Dickinson nearly all of my life, I have had the ability to watch many young men and women grow up as we all do in our local communities. One of these young people, grew up in an athletic family, his mother was the head volleyball coach at the University of Mary, his father, the former head volleyball at Dickinson State University. Prior to one of their matches against each other the Dickinson coach ask the U-Mary coach out for dinner. She accepted, and years later they were married in a small church in Almont. (This was a marriage where I was in attendance.)

The grooms name was Dave Moody and the bride was Kay Johnson from Almont. Together, they raised three children all athletes. Their eldest son Nate was a wide receiver for the North Dakota State University Bison, their daughter Ali, was a standout volleyball player for NDSU. Their youngest child, Aanen, was totally dedicated to his sport of choice, basketball.

For many years, all you had to do to see Aanen Moody was by going to our West River Community Center where he would be shooting, rebounding and hustling from one end of the basketball court under the watchful eye of his dad, David.

He was dedicated to being the basketball player he could possibly be practicing, practicing and then practicing even more. Now, he stands alone at the top of the class in scoring more points than any other Class A basketball player in North Dakota history.

Just last week, he was given the award of Mr. Basketball, recognizing the best high school basketball player in the state. Just yesterday, he won the Gatorade Player of the Year award for the second year in a row. Now, he will take his talents to the University of North Dakota to play for the fighting hawks. Congratulations, Aanen on a job well done and for making Dickinson proud! Hard work really does pay off!

Thank you Mr. Speaker.

REQUEST

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

POINT OF PERSONAL PRIVILEGE

REP. MITSKOG rose on a point of personal privilege.

REMARKS OF REPRESENTATIVE MITSKOG

MR. SPEAKER: Mr. Speaker and Members of the Assembly,

Last week, High school standout, Tyler Irwin of Wahpeton was named North Dakota Miss Basketball as well as the Powerade Outstanding Senior Athlete and ND Gatorade Girls Basketball Player of the Year...a clean sweep. After years of hard work both on and off the court, Tylee finished her high school career with 2192 points, #2 all time in ND Class A basketball scoring.

She was coached by Brian Watson, who was named ND Class A Girls BBall Coach of the Year. District 25 is very proud of Tylee and Coach Watson.

I would like to extend my congratulations to her and wish her the best of luck and success at South Dakota State University.

REQUEST

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

REPORT OF STANDING COMMITTEE

HCR 3033: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HCR 3033 was placed on the Sixth order on the calendar.

Page 1, line 1, after "resolution" replace the remainder of the resolution with "to create and enact a new section to article XI of the Constitution of North Dakota, relating to authorization for not more than six state-regulated, privately owned casinos in the state; and to amend and reenact section 25 of article XI of the Constitution of North Dakota, relating to exceptions to the prohibition on games of chance.

STATEMENT OF INTENT

This measure would authorize the legislative assembly to provide by law for the authorization of up to six state-regulated, privately owned casinos in the state.

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

That the following proposed new section to article XI of the Constitution of North Dakota and the proposed amendment to section 25 of article XI of the Constitution of North Dakota are agreed to and must be submitted to the qualified electors of North Dakota at the general election to be held in 2018, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. AMENDMENT. Section 25 of article XI of the Constitution of North Dakota is amended and reenacted as follows:

Section 25. The

1. Except as provided in subsection 2 and in section 2 of this Act, the legislative assembly shall not authorize any game of chance, lottery, or gift enterprises, under any pretense, or for any purpose whatever. However, the
2. The legislative assembly shall authorize the state of North Dakota to join a multi-state lottery for the benefit of the state of North Dakota, and, the legislative assembly may authorize by law bona fide nonprofit veterans', charitable, educational, religious, or fraternal organizations, civic and service clubs, or such other public-spirited organizations as it may recognize, to conduct games of chance when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, fraternal, religious, or other public-spirited uses.

SECTION 2. A new section to article XI of the Constitution of North Dakota is created and enacted as follows:

1. The legislative assembly may provide by law for the authorization of not more than six state-regulated, privately owned casinos in the state. A casino authorized under this section may not be located within forty miles of the boundary of the largest contiguous portion of an Indian reservation in this state.
2. The legislative assembly shall provide by law for the conduct of gaming in any casino authorized under this section. The legislative assembly shall establish the licensing regulations and fees and the taxation rates for casinos and related casino operations.
3. The legislative assembly shall establish a casino gaming commission that is responsible for administering and regulating the casino gaming industry, protecting and promoting the public interest, ensuring fair and honest games, ensuring fees and taxes are paid, and preventing and detecting unlawful gambling activity."

Renumber accordingly

SIXTH ORDER OF BUSINESS

SPEAKER BELLEW DEEMED approval of the amendments to HCR 3033, Engrossed SB 2028, Engrossed SB 2029, Engrossed SB 2183, and SB 2262.

HCR 3033, as amended, was placed on the Eleventh order of business on the calendar.

Engrossed SB 2028, Engrossed SB 2029, Engrossed SB 2183, and SB 2262, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. RICH S. BECKER MOVED that the House reconsider its action whereby Engrossed SB 2280 failed to pass.

REQUEST

REP. RICH S. BECKER REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby Engrossed SB 2280 failed to pass, the roll was called and there were 50 YEAS, 42 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Bosch; Boschee; Brandenburg; Damschen; Delmore; Devlin; Dobervich; Guggisberg; Hanson; Hatlestad; Hogan; Holman; Johnson, C.; Johnson, M.; Jones; Keiser; Kiefert; Klemin; Koppelman, K.; Kreidt; Laning; Longmuir; Magrum; Maragos; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pyle; Roers Jones; Sanford; Schneider; Schreiber-Beck; Seibel; Sukut; Vigasaa; Weisz; Zubke

NAYS: Becker, Rick C.; Boehning; Brabandt; Carlson; Delzer; Dockter; Ertelt; Grueneich; Headland; Heinert; Howe; Johnson, D.; Johnston; Kading; Karls; Kasper; Koppelman, B.; Lefor; Louser; Marschall; Martinson; McWilliams; Meier; Nathe; Olson; Pollert; Porter; Rohr; Ruby, M.; Satrom; Schatz; Schmidt; Schobinger; Simons; Skroch; Steiner; Streyle; Toman; Trottier; Vetter; Westlind; Speaker Bellew

ABSENT AND NOT VOTING: Kempenich; Ruby, D.

The motion prevailed on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2280: A BILL for an Act to amend and reenact subsection 9 of section 57-15-10 and section 57-15-48 of the North Dakota Century Code, relating to city levy authority for emergency purposes; 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 48 YEAS, 44 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Bosch; Boschee; Brandenburg; Damschen; Delmore; Devlin; Dobervich; Guggisberg; Hanson; Hatlestad; Hogan; Holman; Johnson, C.; Johnson, M.; Jones; Karls; Keiser; Klemin; Koppelman, K.; Kreidt; Laning; Longmuir; Magrum; Maragos; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; O'Brien; Oliver; Paur; Pyle; Roers Jones; Sanford; Schneider; Schreiber-Beck; Seibel; Sukut; Weisz; Zubke

NAYS: Becker, Rick C.; Boehning; Brabandt; Carlson; Delzer; Dockter; Ertelt; Grueneich; Headland; Heinert; Howe; Johnson, D.; Johnston; Kading; Kasper; Kiefert; Koppelman, B.; Lefor; Louser; Marschall; Martinson; McWilliams; Meier; Nathe; Olson; Owens; Pollert; Porter; Rohr; Ruby, M.; Satrom; Schatz; Schmidt; Schobinger; Simons; Skroch; Steiner; Streyle; Toman; Trottier; Vetter; Vigasaa; Westlind; Speaker Bellew

ABSENT AND NOT VOTING: Kempenich; Ruby, D.

Engrossed SB 2280 passed.

SECOND READING OF SENATE BILL

SB 2147: A BILL for an Act to amend and reenact section 48-01.2-23 of the North Dakota Century Code, relating to bond requirements for public improvements.

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, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich;

Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kempenich; Ruby, D.

SB 2147 passed.

SECOND READING OF SENATE BILL

SB 2235: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the interstate medical licensure compact.

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 18 YEAS, 74 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; Koppelman, K.; Mock; Nelson, M.; Olson; Pollert; Schneider; Steiner

NAYS: Anderson, B.; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Paur; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kempenich; Ruby, D.

SB 2235 failed.

SECOND READING OF SENATE BILL

SB 2046: A BILL for an Act to create and enact a new section to chapter 27-21 of the North Dakota Century Code, relating to the establishment of a pilot program for providing state services to juveniles adjudicated in tribal court; to provide for a report to legislative management; and to provide an expiration date.

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 16 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, P.; Boe; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; Johnson, D.; Maragos; Mitskog; Mock; Nelson, M.; Satrom; Schneider

NAYS: Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Monson; Nathe; Nelson, J.; O'Brien;

Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kempenich; Ruby, D.

SB 2046 failed.

SECOND READING OF SENATE BILL

SB 2223: A BILL for an Act to create and enact section 10-32.1-30.1 and a new subsection to section 10-32.1-39 of the North Dakota Century Code, relating to limited liability company distributions and management and partnership transferable interests; and to amend and reenact subsection 2 of section 10-32.1-15, section 10-32.1-30, subsection 2 of section 10-32.1-39, and sections 10-32.1-45, 10-32.1-54, 45-10.2-64, and 45-17-04 of the North Dakota Century Code, relating to limited liability company distributions and management and partnership transferable interests.

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, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

ABSENT AND NOT VOTING: Kempenich; Ruby, D.

Engrossed SB 2223, as amended, passed.

SECOND READING OF SENATE BILL

SB 2270: A BILL for an Act to amend and reenact subsection 5 of section 6-09.4-03, section 61-24-27, subsection 3 of section 61-24.8-01, and sections 61-24.8-14, 61-24.8-16, and 61-24.8-17 of the North Dakota Century Code, relating to financing options for the Garrison Diversion Conservancy District and notice of assessments.

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 78 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, K.; Kreidt; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Trottier; Vigesaa; Weisz; Westlind;

Zubke; Speaker Bellew

NAYS: Becker, Rick C.; Boe; Ertelt; Johnston; Koppelman, B.; Laning; McWilliams; Nelson, M.; Olson; Paur; Simons; Skroch; Toman; Vetter

ABSENT AND NOT VOTING: Kempenich; Ruby, D.

SB 2270, as amended, passed.

SECOND READING OF SENATE BILL

SB 2313: A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to a wind energy restoration and reclamation oversight program; to amend and reenact sections 49-02-34 and 49-22-05.1 of the North Dakota Century Code, relating to annual reports on meeting renewable and recycled energy objectives and exclusion areas for wind energy conversion facilities; to provide a statement of legislative intent; 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 60 YEAS, 32 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, D.; Anderson, P.; Beadle; Blum; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kasper; Keiser; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Magrum; Maragos; Martinson; Mitskog; Mock; Nathe; Nelson, J.; Oliver; Olson; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Simons; Steiner; Streyle; Toman; Weisz; Zubke; Speaker Bellew

NAYS: Anderson, B.; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Delmore; Devlin; Ertelt; Hatlestad; Johnston; Kading; Karls; Koppelman, B.; Koppelman, K.; Laning; Marschall; McWilliams; Meier; Monson; Nelson, M.; O'Brien; Owens; Paur; Ruby, M.; Schreiber-Beck; Seibel; Skroch; Sukut; Trottier; Vetter; Vigesaa; Westlind

ABSENT AND NOT VOTING: Kempenich; Ruby, D.

Engrossed SB 2313, as amended, passed.

MOTION

REP. VIGESAA MOVED that SB 2295 be moved to the top of the Fourteenth order, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2295: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to the exemption of state university and college title IX records from public disclosure; and to amend and reenact section 44-04-18.4 of the North Dakota Century Code, relating to the confidentiality of research information.

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, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kiefert; Klemin; Kreidt;

Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

NAYS: Ertelt; Johnston; Kading; Koppelman, B.; Koppelman, K.; Magrum; Schatz; Simons; Skroch

ABSENT AND NOT VOTING: Kempenich; Ruby, D.

SB 2295, as amended, passed.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2146, SB 2236, SB 2296.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2280.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2242.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2161, SB 2288.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SB 2256.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HB 1257, HB 1311, HB 1430, HCR 3009.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1294, HB 1354.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1294

Page 7, line 1, overstrike "is not survived by an individual described by subsection 1 and"

Page 7, line 2, after the second comma insert "and is not survived by an individual described by subsection 1 and identified for financial responsibility within the county's general assistance policy."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1354

Page 1, line 3, replace "incentives" with "deductions or credits"

Page 1, line 9, remove "incentive identified in section"

Page 1, line 10, replace "54-35-26 which" with "deduction or credit that"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1153, HB 1212, HB 1237, HB 1253, HB 1292, HB 1305, HCR 3026.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2132, SB 2142, SB 2240, SB 2251, SB 2320.

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

MR. SPEAKER: The President has signed: HB 1153, HB 1212, HB 1237, HB 1253, HB 1292, HB 1305, HCR 3026.

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

MR. PRESIDENT: The Speaker has signed: SB 2132, SB 2142, SB 2240, SB 2251, SB 2320.

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

MR. SPEAKER: The President has signed: SB 2132, SB 2142, SB 2240, SB 2251, SB 2320.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 21, 2017: HB 1036, HB 1171, HB 1192, HB 1211, HB 1215, HB 1289, HB 1315, HB 1325, HB 1373, HB 1380, HB 1385, HB 1409.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on March 21, 2017: HCR 3002.

MOTION

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

MOTION

REP. VIGESAA 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., Wednesday, March 22, 2017, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

SB 2053, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2053 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections" with "section"

Page 1, line 2, remove "and 54-52-06.4"

Page 1, line 3, after the second comma insert "section 54-52.1-03.4,"

Page 1, line 5, remove "decreased employee contributions"

Page 1, remove line 6

Page 1, line 7, remove "criminal investigation,"

Page 1, line 9, after the comma insert "temporary employee participation in the uniform group insurance program"

Page 1, line 10, remove "and"

Page 1, line 11, after "plan" insert ", to provide a contingent effective date; and to provide an expiration date"

Page 7, remove lines 18 through 31

Page 8, remove lines 1 through 10

Page 15, after line 19, insert:

"SECTION 7. AMENDMENT. Section 54-52.1-03.4 of the North Dakota Century Code is amended and reenacted as follows:

54-52.1-03.4. Temporary employees and employees on unpaid leave of absence.

1. A temporary employee employed before August 1, 2007, may elect to participate in the uniform group insurance program by completing the necessary enrollment forms and qualifying under the medical underwriting requirements of the program if such election is made before January 1, 2015, and if the temporary employee is participating in the uniform group insurance program on January 1, 2015.
2. In order for a temporary employee employed after July 31, 2007, to qualify to participate in the uniform group insurance program, the employee must be employed at least twenty hours per week; must be employed at least twenty weeks each year of employment; must make the election to participate before January 1, 2015; and must be participating in the uniform group insurance program as of January 1, 2015. ~~a To be eligible to participate in the uniform group insurance program;~~
3. A temporary employee first employed after December 31, 2014, or any temporary employee employed before the effective date of this section of this Act but not participating in the uniform group insurance program as of January 1, 2015, must meet the definition of a full-time employee under section 4980H(c)(4) of the Internal Revenue Code [26 U.S.C. 4980H(c)(4)] on the effective date of this section of this Act, does not qualify to participate in the uniform group insurance program, unless the employee is employed at least thirty hours per week for at least twenty weeks each year of employment. Notwithstanding contrary provisions of this subsection, a temporary employee participating in the uniform group insurance program on the effective date of this section of this Act remains eligible through the end of the calendar year during which the effective date of this section of this Act occurs and after that calendar year the temporary employee is subject to the eligibility provisions of subsection 1, 2, or 3, as applicable.
4. Monthly, the temporary employee or the temporary employee's employer shall pay to the board the premiums in effect for the coverage being provided. ~~In the case of a temporary employee who is an applicable taxpayer as defined in section 36B(c)(1)(A) of the Internal Revenue Code [26 U.S.C. 36B(c)(1)(A)], the temporary employee's required contribution for medical and hospital benefits self-only coverage may not exceed the maximum employee required contribution specified under section 36B(e)(2)(C) of the Internal Revenue Code [26 U.S.C. 36B(e)(2)(C)], and the employer shall pay any difference between the maximum employee required contribution for medical and hospital benefits self-only coverage and the cost of the premiums in effect for this coverage. An employer may pay health or life insurance premiums for a permanent employee on an unpaid leave of absence. A political subdivision, department, board, or agency may make a contribution for coverage under this section."~~

Page 17, after line 11, insert:

"SECTION 11. CONTINGENT EFFECTIVE DATE - EXPIRATION DATE.

Section 7 of this Act becomes effective on the date identified by the executive director of the public employees retirement system in a certification to the legislative council as the effective date of a repeal of sections 4980H(a) and 4980H(b) of the Internal Revenue Code [26 U.S.C. 4980H(a) and 490H(b)] or the effective date of an amendment of sections 4980H(a) and 4980H(b) of the Internal Revenue Code [26 U.S.C. 4980H(a) and 490H(b)] resulting in the assessable payments under sections 4980H(a) and 4980H(b) [26 U.S.C. 4980H(a) and 490H(b)] becoming zero dollars. If this certification does not occur before August 1, 2019, Section 7 of this Act expires and is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2099: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2099 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2193, as engrossed: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2193 was placed on the Sixth order on the calendar.

Page 1, line 3, after "officers" insert "; and to declare an emergency"

Page 1, line 21, replace "as provided in this subsection" with "on property owned or leased by the state board of higher education"

Page 1, line 22, after "institutions" insert ", or as otherwise provided in this subsection"

Page 2, line 13, replace "west" with "east"

Page 2, line 31, after the underscored period insert "As used in this subdivision, "hot pursuit" means the immediate pursuit of an individual endeavoring to avoid arrest."

Page 3, line 28, overstrike "a"

Page 3, line 29, overstrike "person who is" and insert immediately thereafter "an individual"

Page 4, after line 7, insert:

"SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2199, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2199 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2203, as engrossed: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2203 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2253, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2253 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "; and to provide for retroactive application"

Page 1, line 8, remove "does not"

Page 1, line 9, replace "change the acreage for real estate taxes or payments in lieu of real estate taxes until" with "must have"

Page 1, line 10, remove "is"

Page 1, remove line 11

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2264, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2264 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 subsection 2 of section 23-01-05.5 of the North Dakota Century Code, relating to providing notification of the report of death to the next of kin or authorized representative of the deceased.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 23-01-05.5 of the North Dakota Century Code is amended and reenacted as follows:

2. An autopsy report and any working papers and notes relating to an autopsy report are confidential and may be disclosed only as permitted by this section. The report of death is a public record subject to disclosure under section 44-04-18 as follows:
 - a. The next of kin or authorized representative requesting the autopsy results is responsible for providing to the state forensic examiner or the examiner's designee satisfactory proof of relationship to the deceased and contact information for notification of the autopsy results.
 - b. When in receipt of the information in subdivision a, the state forensic examiner, examiner's designee, county coroner, or pathologist who performed the autopsy shall make a good faith effort to immediately notify the decedent's next of kin or authorized representative of the availability of the report of death. The notification or attempts to notify the next of kin or authorized representative must be recorded and must precede any public disclosure of the report of death.
 - c. The report of death becomes a public record four days following the notification of or attempts to notify the next of kin or authorized representative, whether verbal or written. If no next of kin or authorized representative can be found, the report of death may be disclosed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2276, as engrossed: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2276 was placed on the Sixth order on the calendar.

Page 1, line 1, after the second comma insert "and"

Page 1, line 2, remove ", and section 29-27-02"

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

Page 1, line 4, remove ", and judgments imposing fines or assessing costs"

Page 1, line 10, remove "A corporation may not"

Page 1, replace lines 11 and 12 with "All assets received by a corporation from donors for special use or purpose must be designated as temporarily restricted or permanently restricted in accordance with the applicable financial accounting standards board codification and disclosed on the corporation's financial statements. A corporation may pledge as collateral, grant a security interest in, or borrow from assets initially designated as temporarily restricted only for purposes that are in accordance with

the donor's restrictions. A corporation may not pledge as collateral, grant a security interest in, or borrow from assets designated as permanently restricted assets."

Page 2, remove lines 21 through 30

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2300: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2300 was placed on the Sixth order on the calendar.

Page 1, line 18, after "officer" insert "or correctional institution employee"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2316, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2316 was placed on the Sixth order on the calendar.

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

Page 1, line 2, remove ", and 23-13-16"

Page 1, line 4, after the first comma insert "and"

Page 1, line 4, remove ", and aboveground"

Page 1, line 5, remove "petroleum storage tanks"

Page 2, line 8, replace "current international" with "state and local"

Page 2, line 8, remove "codes"

Page 2, line 9, remove the first "international"

Page 2, line 9, remove "of the international code council"

Page 2, line 11, remove the overstrike over "~~The state fire marshal may make reasonable provision for the application or~~"

Page 2, remove the overstrike over line 12

Page 2, line 18, remove "or private or public contracted fire service agency"

Page 3, line 6, remove "Architects and engineers preparing"

Page 3, line 6, overstrike "private" and insert immediately thereafter "Private"

Page 3, line 6, remove the overstrike over "~~must be~~"

Page 3, line 7, remove the overstrike over "~~submitted~~"

Page 3, line 7, remove "shall submit school plans and specifications"

Page 3, line 17, overstrike "architect or engineer preparing" and insert immediately thereafter "person that prepared"

Page 3, line 17, after the second "or" insert "the person that is"

Page 3, line 25, replace "The international building code" with "State and local fire and building codes"

Page 3, line 26, overstrike "The"

Page 3, line 26, remove "international fire code"

Page 3 line 26, overstrike the period

Page 3, line 27, overstrike "3."

Page 3, line 28, replace "4." with "3."

Page 3, remove lines 29 and 30

Page 4, remove lines 1 through 10

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2325, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2325 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2326, as reengrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2326 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2330, as engrossed and amended: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2330, as amended, was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; to provide for a study by the"

Page 1, line 3, remove "agriculture commissioner; to provide for a report to the legislative management"

Page 1, remove lines 20 through 24

Page 2, remove lines 1 through 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2340, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2340 was placed on the Sixth order on the calendar.

Page 2, line 7, remove the overstrike over "f"

Page 2, line 7, remove "Except as provided in paragraph 5, if"

Page 2, overstrike line 8

Page 2, line 9, overstrike "instrument" and insert immediately thereafter "a space of at least three inches [7.62 centimeters] is not provided across the top of the first page"

Page 2, line 9, replace "may" with "shall"

Page 2, line 10, after "may" insert "not"

Page 2, line 10, after "levied" insert "in accordance with the fee structure"

Page 2, line 17, remove the overstrike over "and"

Page 2, line 18, remove the overstrike over "page"

Renumber accordingly

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

Buell J. Reich, Chief Clerk

