

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

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**Bismarck, February 15, 2017**

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

The prayer was offered by Pastor Sam Coleman, Charity Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Kreidt, Monson, Pyle, and Schatz.

A quorum was declared by the Speaker.

**SIXTH ORDER OF BUSINESS**

**SPEAKER BELLEW DEEMED** approval of the amendments to HB 1006, HB 1010, Engrossed HB 1040, HB 1195, HB 1221, HB 1359, and Engrossed HB 1419.

HB 1006, HB 1010, Engrossed HB 1040, HB 1195, HB 1221, HB 1359, and Engrossed HB 1419, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. TOMAN MOVED** that the House reconsider its action whereby Engrossed HB 1434 failed to pass. .

**REQUEST**

**REP. TOMAN REQUESTED** a recorded roll call vote, which request was granted.

**ROLL CALL**

The question being on the motion to reconsider the action whereby Engrossed HB 1434 failed to pass, the roll was called and there were 66 YEAS, 24 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Damschen; Delmore; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Lefor; Longmuir; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Porter; Roers Jones; Sanford; Satrom; Schneider; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Toman; Trottier; Vetter; Westlind

**NAYS:** Brandenburg; Carlson; Delzer; Devlin; Headland; Kading; Karls; Kempenich; Laning; Louser; Magrum; Nathe; Pollert; Rohr; Ruby, D.; Ruby, M.; Schmidt; Schobinger; Simons; Streyle; Vigesaa; Weisz; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

The motion prevailed on a recorded roll call vote.

**SECOND READING OF HOUSE BILL**

**HB 1434:** A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to health insurance coverage for autism-related services; and to provide for a report to the legislative management.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 61 YEAS, 29 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Damschen; Delmore; Dobervich; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Lefor; Longmuir; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nelson, M.; O'Brien; Oliver; Olson; Paur; Porter; Roers Jones; Rohr; Sanford; Satrom; Schneider; Seibel; Skroch; Steiner; Sukut; Toman; Trottier; Vetter; Westlind

**NAYS:** Becker, Rich S.; Becker, Rick C.; Brandenburg; Carlson; Delzer; Devlin; Dockter; Ertelt; Headland; Keiser; Kempenich; Laning; Louser; Magrum; Nathe; Nelson, J.; Owens; Pollert; Ruby, D.; Ruby, M.; Schmidt; Schobinger; Schreiber-Beck; Simons; Streyle; Vigesaa; Weisz; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Engrossed HB 1434 passed.

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### SECOND READING OF HOUSE BILL

**HB 1326:** A BILL for an Act to amend and reenact sections 40-57.1-02 and 40-57.1-03, subsection 4 of section 40-58-20, sections 40-58-20.2 and 40-63-03, subsections 35, 36, and 42 of section 57-02-08, and section 57-02.2-03 of the North Dakota Century Code, relating to approval from impacted municipalities for the grant of local property tax incentives.

### 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 33 YEAS, 57 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rich S.; Becker, Rick C.; Blum; Boe; Brabandt; Delzer; Ertelt; Johnston; Jones; Kading; Kasper; Kempenich; Kiefert; Laning; Lefor; Louser; Maragos; Marschall; McWilliams; Meier; Nelson, M.; Olson; Paur; Rohr; Ruby, D.; Schmidt; Schreiber-Beck; Simons; Skroch; Streyle; Toman; Vetter; Speaker Bellew

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Karls; Keiser; Klemin; Koppelman, B.; Koppelman, K.; Longmuir; Magrum; Martinson; Mitskog; Mock; Nathe; Nelson, J.; O'Brien; Oliver; Owens; Pollert; Porter; Roers Jones; Ruby, M.; Sanford; Satrom; Schneider; Schobinger; Seibel; Steiner; Sukut; Trottier; Vigesaa; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

HB 1326 failed.

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### SECOND READING OF HOUSE BILL

**HB 1361:** A BILL for an Act to create and enact section 57-15-02.2 of the North Dakota Century Code, relating to limitations of property tax levies by taxing districts without voter approval; to amend and reenact subsection 4 of section 15.1-27-04.1 of the North Dakota Century Code, relating to determination of school district state aid payments; to provide an effective date; 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 56 YEAS, 34 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, D.; Beadle; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Brabandt;

Brandenburg; Carlson; Delzer; Devlin; Dockter; Ertelt; Grueneich; Headland; Heinert; Howe; Johnston; Jones; Kading; Karls; Kasper; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Nathe; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Satrom; Schmidt; Schobinger; Schreiber-Beck; Skroch; Streyle; Toman; Trottier; Vetter; Vigesaa; Speaker Bellew

**NAYS:** Anderson, B.; Anderson, P.; Becker, Rich S.; Boschee; Damschen; Delmore; Dobervich; Guggisberg; Hanson; Hatlestad; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Keiser; Kempenich; Lefor; Longmuir; Maragos; Mitskog; Mock; Nelson, J.; Nelson, M.; O'Brien; Sanford; Schneider; Seibel; Simons; Steiner; Sukut; Weisz; Westlind; Zubke

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Engrossed HB 1361 passed.

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### SECOND READING OF HOUSE BILL

**HB 1276:** A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to a limitation on property tax increases by taxing districts without voter approval; 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 NOT PASS, the roll was called and there were 2 YEAS, 88 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rick C.; Boe

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; 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; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

HB 1276 failed.

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### SECOND READING OF HOUSE BILL

**HB 1375:** A BILL for an Act to create and enact a new section to chapter 50-06.3 of the North Dakota Century Code, relating to delinquent charges for care and treatment at the state hospital.

### 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 12 YEAS, 78 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Boschee; Dobervich; Guggisberg; Hanson; Hogan; Holman; Mitskog; Mock; Nelson, M.; Oliver; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe;

Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Nathe; Nelson, J.; O'Brien; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

HB 1375 failed.

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### SECOND READING OF HOUSE BILL

**HB 1424:** A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 and section 57-02-14.1 of the North Dakota Century Code, relating to the property tax exemption for property of churches; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 56 YEAS, 34 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Becker, Rich S.; Blum; Boehning; Bosch; Brabandt; Carlson; Damschen; Ertelt; Grueneich; Hatlestad; Heinert; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Louser; Maragos; Marschall; McWilliams; Meier; Mitskog; Nelson, J.; Oliver; Olson; Owens; Paur; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Toman; Vetter; Vigesaa; Weisz; Westlind; Speaker Bellew

**NAYS:** Anderson, D.; Anderson, P.; Beadle; Becker, Rick C.; Boe; Boschee; Brandenburg; Delmore; Delzer; Devlin; Dobervich; Dockter; Guggisberg; Hanson; Headland; Hogan; Holman; Howe; Johnson, M.; Keiser; Longmuir; Magrum; Martinson; Mock; Nathe; Nelson, M.; O'Brien; Pollert; Schneider; Schobinger; Streyle; Sukut; Trottier; Zubke

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Engrossed HB 1424 passed.

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### SECOND READING OF HOUSE BILL

**HB 1270:** A BILL for an Act to amend and reenact paragraph 3 of subdivision c of subsection 1 of section 19-03.1-23.1 of the North Dakota Century Code, relating to aggravating factors in drug offenses; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 5 NAYS, 0 EXCUSED, 4 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; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Delzer; Heinert; Kempenich; Ruby, D.; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Engrossed HB 1270 passed.

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### SECOND READING OF HOUSE BILL

**HB 1334:** A BILL for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to prohibiting high-risk sexual offenders from residing near schools; 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 88 YEAS, 1 NAYS, 0 EXCUSED, 5 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; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Simons

**ABSENT AND NOT VOTING:** Kreidt; Monson; Paur; Pyle; Schatz

Engrossed HB 1334 passed.

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### SECOND READING OF HOUSE BILL

**HB 1275:** A BILL for an Act to amend and reenact section 15.1-19-03.1 of the North Dakota Century Code, relating to the recitation of prayer at parochial or private school athletic activities.

### 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, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson, P.; Boe; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Holman; Nelson, M.; Schneider

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Engrossed HB 1275 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1236:** A BILL for an Act to amend and reenact sections 29-04-02.1 and 29-04-03.1 of the North Dakota Century Code, relating to prosecution of gross sexual imposition and sexual abuse of minors.

**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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Engrossed HB 1236 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1085:** A BILL for an Act to create and enact a new section to chapter 50-06.4 of the North Dakota Century Code, relating to the creation of a brain injury advisory council; 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 81 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; 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.; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Delzer; Ertelt; Kempenich; Laning; Olson; Simons; Streyle; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Reengrossed HB 1085 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1347:** A BILL for an Act to amend and reenact section 38-08-04.5 of the North Dakota Century Code, relating to the abandoned oil and gas well plugging and site reclamation fund; to provide an appropriation; and to provide a report to the legislative management.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 4 NAYS, 0 EXCUSED, 4 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; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Ertelt; Johnston; Simons; Skroch

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Engrossed HB 1347 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1289:** A BILL for an Act to amend and reenact subsection 1 of section 23-34-04 and section 43-17-31 of the North Dakota Century Code, relating to grounds for disciplinary action by the medical board.

**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, 0 NAYS, 0 EXCUSED, 4 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; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

HB 1289 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1219:** A BILL for an Act to amend and reenact subsection 9 of section 39-05-22, section 47-01-03, and subsections 1, 7, and 8 of section 47-10-27 of the North Dakota Century Code, relating to the process for converting manufactured housing to real property.

**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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Engrossed HB 1219 passed.

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### SECOND READING OF HOUSE BILL

**HB 1408:** A BILL for an Act to create and enact a new section to chapter 54-17.7 of the North Dakota Century Code, relating to the creation of a natural gas pipeline infrastructure loan fund; to amend and reenact subsection 2 of section 57-51-05 of the North Dakota Century Code, relating to gross production tax revenue; and to provide for a transfer.

### 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, 72 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Boe; Boschee; Delmore; Dobervich; Guggisberg; Hanson; Hogan; Holman; McWilliams; Mitskog; Mock; Nelson, J.; Nelson, M.; O'Brien; Olson; Schneider; Schreiber-Beck

**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, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; Meier; Nathe; Oliver; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schobinger; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

HB 1408 failed.

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### SECOND READING OF HOUSE BILL

**HB 1161:** A BILL for an Act to amend and reenact sections 54-27-23, 54-44.1-03, 54-44.1-12, and 54-44.1-12.1 of the North Dakota Century Code, relating to the control over the rate of expenditures.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 25 YEAS, 65 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Becker, Rick C.; Blum; Boehning; Brandenburg; Dockter; Ertelt; Headland; Johnson, M.; Johnston; Kasper; Kempenich; Lefor; Magrum; Olson; Ruby, D.; Ruby, M.; Schmidt; Seibel; Simons; Steiner; Toman; Trottier; Vetter; Zubke; Speaker Bellew

**NAYS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Bosch;



Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Jones; Kading; Karls; Keiser; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Laning; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Roers Jones; Rohr; Sanford; Satrom; Schneider; Schobinger; Schreiber-Beck; Skroch; Streyle; Sukut; Vigesaa; Weisz; Westlind

**ABSENT AND NOT VOTING:** Kreidt; Monson; Pyle; Schatz

Engrossed HB 1161 failed.

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### SECOND READING OF HOUSE BILL

**HB 1287:** A BILL for an Act to create and enact section 39-06-14.2 and a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to graduated driver licensing; to amend and reenact subsection 2 of section 39-06-01.1, subsection 1 of section 39-06-03, section 39-06-04, subsection 1 of section 39-06-05, sections 39-06-14 and 39-06-17, subsection 4 of section 39-06-42, subsection 2 of section 39-06-43, subdivision i of subsection 2 of section 39-06-49, and subsection 1 of section 39-06.1-08 of the North Dakota Century Code, relating to drivers licenses issued to operators, restricted licenses, and class D instruction permit; 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 NOT PASS, the roll was called and there were 25 YEAS, 64 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Blum; Bosch; Boschee; Delmore; Dobervich; Grueneich; Guggisberg; Hanson; Hogan; Keiser; Klemin; Koppelman, K.; Maragos; Mitskog; O'Brien; Owens; Porter; Sanford; Satrom; Schneider; Schreiber-Beck; Steiner; Toman; Vetter

**NAYS:** Anderson, B.; Beadle; Becker, Rich S.; Becker, Rick C.; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Hatlestad; Headland; Heinert; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Koppelman, B.; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; McWilliams; Meier; Mock; Nathe; Nelson, J.; Nelson, M.; Oliver; Olson; Paur; Pollert; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Schmidt; Schobinger; Seibel; Simons; Skroch; Streyle; Sukut; Trottier; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Anderson, D.; Kreidt; Monson; Pyle; Schatz

HB 1287 failed.

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### 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., Thursday, February 16, 2017, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**HB 1004: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1004 was placed on the Sixth order on the calendar.

Page 1, replace lines 10 through 18 with:

"Salaries and wages	\$11,655,646	\$59,194	\$11,714,840
Operating expenses	1,176,806	(40,767)	1,136,039
North Dakota university system information technology security audits	200,000	(200,000)	0
Information technology consultants	250,000	(250,000)	0
Total all funds	\$13,282,452	(\$431,573)	\$12,850,879
Less estimated income	3,505,870	(91,532)	3,414,338
Total general fund	\$9,776,582	(\$340,041)	\$9,436,541
Full-time equivalent positions	59.80	(2.00)	57.80

**SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in section 1 of this Act includes the sum of \$163,134, of which \$123,788 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1004 - State Auditor - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$11,655,646	\$59,194	\$11,714,840
Operating expenses	1,176,806	(40,767)	1,136,039
University system IT security audits	200,000	(200,000)	
Information technology consultants	250,000	(250,000)	
Total all funds	\$13,282,452	(\$431,573)	\$12,850,879
Less estimated income	3,505,870	(91,532)	3,414,338
General fund	\$9,776,582	(\$340,041)	\$9,436,541
FTE	59.80	(2.00)	57.80

**Department No. 117 - State Auditor - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Restores Funding for North Dakota University System Auditors <sup>3</sup>	Removes University System Auditor Positions <sup>4</sup>	Underfunds Salaries and Wages <sup>5</sup>	Adds Funding to Reclassify a Position <sup>6</sup>
Salaries and wages	(\$69,236)	\$163,134	\$611,300	(\$297,135)	(\$373,869)	\$25,000
Operating expenses			41,392	(12,500)		
University system IT security audits						
Information technology consultants						
Total all funds	(\$69,236)	\$163,134	\$652,692	(\$309,635)	(\$373,869)	\$25,000
Less estimated income	30,422	39,346	0	0	0	0
General fund	(\$99,658)	\$123,788	\$652,692	(\$309,635)	(\$373,869)	\$25,000
FTE	0.00	0.00	0.00	(2.00)	0.00	0.00

	Adjusts Funding for Operating Expenses <sup>7</sup>	Removes Funding for University System Information Technology Security Audits <sup>8</sup>	Removes Funding for Information Technology Consultants <sup>9</sup>	Total House Changes
Salaries and wages				\$59,194
Operating expenses	(69,659)			(40,767)
University system IT security audits		(200,000)		(200,000)
Information technology consultants			(250,000)	(250,000)
	(\$69,659)	(\$200,000)	(\$250,000)	(\$431,573)

Total all funds				
Less estimated income	38,700	(200,000)	0	(91,532)
General fund	(\$108,359)	\$0	(\$250,000)	(\$340,041)
FTE	0.00	0.00	0.00	(2.00)

<sup>1</sup> Funding is adjusted for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in employee health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> Funding for 4 University System audit FTE positions removed by the State Auditor as part of the 2015-17 biennium budget reductions is restored, including salaries and wages of \$611,300 and operating expenses of \$41,392.

<sup>4</sup> Removes 2 University System audit FTE positions, including salaries and wages of \$297,135 and operating expenses of \$12,500.

<sup>5</sup> Salaries and wages is underfunded agencywide.

<sup>6</sup> Funding is added for salaries and wages to reclassify 1 FTE auditor position to a budget specialist position.

<sup>7</sup> Operating expenses funding is adjusted.

<sup>8</sup> Funding for University System information technology security audits is removed.

<sup>9</sup> Funding for information technology consultants is removed.

A section is added identifying additional funding provided for health insurance increases.

#### REPORT OF STANDING COMMITTEE

**HB 1005: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 1 NAYS, 4 ABSENT AND NOT VOTING). HB 1005 was placed on the Sixth order on the calendar.

Page 1, line 1, after "treasurer" insert "; and to amend and reenact subdivision b of subsection 2 of section 57-62-02 of the North Dakota Century Code, relating to coal severance tax allocations"

Page 1, replace lines 10 through 14 with:

"Salaries and wages	\$1,427,333	(\$109,535)	\$1,317,798
Operating expenses	200,614	50,646	251,260
Coal severance payments	<u>228,952</u>	<u>(48,952)</u>	<u>180,000</u>
Total general fund	\$1,856,899	(\$107,841)	\$1,749,058
Full-time equivalent positions	8.00	(1.00)	7.00

**SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in section 1 of this Act includes the sum of \$22,898 from the general fund for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

Page 1, after line 21, insert:

**"SECTION 4. AMENDMENT.** Subdivision b of subsection 2 of section 57-62-02 of the North Dakota Century Code is amended and reenacted as follows:

- b. If the tipple of a currently active coal mining operation in a county is within fifteen miles [24.14 kilometers] of another county in which no coal is mined, the revenue from the production not exceeding the production limitation in a calendar year which is apportioned from that coal mining operation according to this subsection must be allocated, subject to the definitions of terms and the requirements in paragraph 4, as provided in this subdivision. For purposes of this subdivision, the production limitation is ~~three million eight hundred thousand tons [3447302.02 metric tons] through calendar year 1995, three million six hundred thousand tons [3265865.07 metric tons] in calendar years 1996 and 1997, and three million four hundred thousand tons [3084428.12 metric tons] in calendar years after 1997~~three million four hundred thousand tons [3084428.12 metric tons] through calendar year 2017 and three million tons [2721554.22 metric tons] after calendar year 2017. Revenue from production exceeding the production limitation in a calendar year from that coal mining operation must be allocated only within the coal-producing county under subdivision a. Allocations under this subdivision must be made as follows:
- (1) Thirty percent must be paid by the state treasurer to the incorporated cities of the coal-producing county and to any city of a non-coal-producing county when any portion of the city lies within fifteen miles [24.14 kilometers] of the tipple of the currently active coal mining operation in the coal-producing county, based upon the population of each incorporated city according to the last official regular or special federal census or the census taken in accordance with the provisions of chapter 40-02 in case of a city incorporated subsequent to such census.
  - (2) Forty percent must be divided by the state treasurer between the general fund of the coal-producing county and the general fund of any non-coal-producing county when any portion of the latter county lies within fifteen miles [24.14 kilometers] of the tipple of the currently active coal mining operation in the coal-producing county. The non-coal-producing county portion must be based upon the ratio which the assessed valuation of all quarter sections of land in that county, any portion of which lies within fifteen miles [24.14 kilometers] of the tipple of the currently active coal mining operation, bears to the combined assessed valuations of all land in the coal-producing county and the quarter sections of land in the non-coal-producing county within fifteen miles [24.14 kilometers] of the tipple of the currently active coal mining operation. The county director of tax equalization of the coal-producing county shall certify to the state treasurer the number of quarter sections of land in the non-coal-producing counties which lie at least in part within fifteen miles [24.14 kilometers] of the tipple of the currently active coal mining operation and their assessed valuations.
  - (3) Thirty percent must be apportioned by the state treasurer to school districts within the coal-producing county and to school districts in adjoining non-coal-producing counties when a portion of those school districts' land includes any of the quarter sections of land certified by the director of tax equalization to the state treasurer to be eligible to share county funds as provided for in paragraph 2. The county superintendent of the non-coal-producing counties shall certify to the state treasurer the number of students actually residing on these quarter sections lying outside the coal-producing county and each school district in non-coal-producing counties shall receive a portion of the money under this paragraph based upon the ratio of the number of children residing on quarter sections of that school district within the fifteen-mile

[24.14-kilometer] radius of the tipple of a currently active coal mining operation to the total number of schoolchildren from the coal-producing county combined with all the schoolchildren certified to be living on quarter sections within fifteen miles [24.14 kilometers] of the tipple of the currently active coal mining operation in the coal-producing county.

- (4) For the purposes of this subdivision:
- (a) The terms "currently active coal mining operation in a county", "currently active coal mining operation in the coal-producing county", and "currently active coal mining operation" mean a coal mining operation that produced more than one hundred fifty thousand tons [136077.71 metric tons] of coal in a coal-producing county during the prior quarterly period.
  - (b) The term "coal-producing county" means a county in which more than one hundred fifty thousand tons [136077.71 metric tons] of coal were mined in the prior quarterly period.
  - (c) The term "another county in which no coal is mined" means a county in which not more than seventy-five thousand tons [68038.86 metric tons] of coal were mined in the prior quarterly period.
  - (d) The terms "non-coal-producing county" and "non-coal-producing counties" mean any county in which not more than seventy-five thousand tons [68038.86 metric tons] of coal were mined in the prior quarterly period.
  - (e) In computing each amount to be paid as provided in paragraph 1, 2, or 3 for coal severance tax revenue from coal mined during a monthly period, the state treasurer shall deduct from the allocation the amount of coal severance tax revenue, if any, that the governmental body in the non-coal-producing county received from the coal mined in the non-coal-producing county during the same monthly period.
- (5) The state treasurer shall allocate funds provided by legislative appropriation to cities, the county general fund, and school districts within a coal-producing county according to the allocation method provided in subdivision a in an amount to offset fifty percent of the loss of that county's share of coal severance tax revenue allocated to a non-coal-producing county under this subdivision in the previous calendar year for the payments through calendar year 2018 and to offset thirty percent of the loss of that county's share of coal severance tax revenue allocated to a non-coal-producing county under this subdivision in the previous calendar year for payments after calendar year 2018. The state treasurer shall make the allocation and distribute the funds, within the limits of legislative appropriations, under this paragraph during the first month of each calendar year. The state treasurer shall include in each biennial budget request the amounts estimated to be necessary for the biennium for purposes of this paragraph, based on the allocations under this subdivision in the most recent calendar years."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1005 - State Treasurer - House Action**

	<b>Base Budget</b>	<b>House Changes</b>	<b>House Version</b>
Salaries and wages	\$1,427,333	(\$109,535)	\$1,317,798
Operating expenses	200,614	50,646	251,260
Coal severance payments	228,952	(48,952)	180,000
Total all funds	\$1,856,899	(\$107,841)	\$1,749,058
Less estimated income	0	0	0
General fund	\$1,856,899	(\$107,841)	\$1,749,058
FTE	8.00	(1.00)	7.00

**Department No. 120 - State Treasurer - Detail of House Changes**

	<b>Adds Funding for Base Payroll Changes<sup>1</sup></b>	<b>Adds Funding for Health Insurance Increase<sup>2</sup></b>	<b>Removes 1 FTE Position<sup>3</sup></b>	<b>Reduces Funding for Temporary Staff and an FTE Position<sup>4</sup></b>	<b>Adds Funding for Information Technology Costs<sup>5</sup></b>	<b>Reduces Funding for Coal Severance Shortfall Payments<sup>6</sup></b>
Salaries and wages	\$263	\$22,898	(\$88,000)	(\$44,696)		
Operating expenses					50,646	
Coal severance payments						(48,952)
Total all funds	\$263	\$22,898	(\$88,000)	(\$44,696)	\$50,646	(\$48,952)
Less estimated income	0	0	0	0	0	0
General fund	\$263	\$22,898	(\$88,000)	(\$44,696)	\$50,646	(\$48,952)
FTE	0.00	0.00	(1.00)	0.00	0.00	0.00

	<b>Total House Changes</b>
Salaries and wages	(\$109,535)
Operating expenses	50,646
Coal severance payments	(48,952)
Total all funds	(\$107,841)
Less estimated income	0
General fund	(\$107,841)
FTE	(1.00)

<sup>1</sup> Funding is added for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> One FTE position is removed, including \$88,000 from the general fund.

<sup>4</sup> Funding is reduced for temporary staff and for an FTE position that had duties reassigned.

<sup>5</sup> Funding is added for operating expenses, primarily related to information technology rate increases.

<sup>6</sup> Funding is reduced for coal severance tax shortfall payments related to changes in the coal severance tax revenue allocation formula.

This amendment also provides the following:

- Adds a new section to identify the funding increase for health insurance premium increases.
- Adds a new section to change the allocation of coal severance tax revenue by reducing the coal production limitation, from 3.4 million tons to 3 million tons, and by

reducing the reimbursement percentage for the coal severance shortfall payments, from 50 percent to 30 percent.

### REPORT OF STANDING COMMITTEE

**HB 1007: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 1 NAYS, 4 ABSENT AND NOT VOTING). HB 1007 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 17 with:

"Salaries and wages	\$2,423,746	(\$5,859)	\$2,417,887
Operating expenses	<u>361,327</u>	<u>(32,409)</u>	<u>328,918</u>
Total all funds	\$2,785,073	(\$38,268)	\$2,746,805
Less estimated income	<u>437,832</u>	<u>2,084</u>	<u>439,916</u>
Total general fund	\$2,347,241	(\$40,352)	\$2,306,889
Full-time equivalent positions	15.00	(1.00)	14.00

**SECTION 2. HEALTH INSURANCE INCREASE.** The salaries and wages line item in section 1 of this Act includes the sum of \$40,068 for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

ReNUMBER accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1007 - Labor Commissioner - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$2,423,746	(\$5,859)	\$2,417,887
Operating expenses	<u>361,327</u>	<u>(32,409)</u>	<u>328,918</u>
Total all funds	\$2,785,073	(\$38,268)	\$2,746,805
Less estimated income	<u>437,832</u>	<u>2,084</u>	<u>439,916</u>
General fund	\$2,347,241	(\$40,352)	\$2,306,889
FTE	15.00	(1.00)	14.00

#### Department No. 406 - Labor Commissioner - Detail of House Changes

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Removes FTE Position <sup>3</sup>	Adjusts Funding for Operating Expenses <sup>4</sup>	Total House Changes
Salaries and wages	\$7,071	\$40,068	(\$52,998)		(\$5,859)
Operating expenses				(32,409)	(32,409)
Total all funds	\$7,071	\$40,068	(\$52,998)	(\$32,409)	(\$38,268)
Less estimated income	<u>2,084</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,084</u>
General fund	\$4,987	\$40,068	(\$52,998)	(\$32,409)	(\$40,352)
FTE	0.00	0.00	(1.00)	0.00	(1.00)

<sup>1</sup> Funding is added for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

<sup>3</sup> One administrative assistant FTE position is removed. As a result of the 2015-17 biennium budget reductions, the department removed funding of \$42,794 for this FTE position for a total reduction of \$95,792.

<sup>4</sup> Funding for operating expenses is reduced by \$32,409 to provide total operating expenses funding of \$328,918.

This amendment also adds a section detailing the amount of funding provided to the agency for employee health insurance premium increases.

#### REPORT OF STANDING COMMITTEE

**HB 1014: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1014 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 16 with:

"Protection and advocacy operations	<u>\$6,453,779</u>	<u>(\$217,848)</u>	<u>\$6,235,931</u>
Total all funds	\$6,453,779	(\$217,848)	\$6,235,931
Less estimated income	<u>3,432,853</u>	<u>(105,928)</u>	<u>3,326,925</u>
Total general fund	\$3,020,926	(\$111,920)	\$2,909,006
Full-time equivalent positions	27.50	(1.00)	26.50

**SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in section 1 of this Act includes the sum of \$80,140, of which \$38,694 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### House Bill No. 1014 - Protection and Advocacy Project - House Action

	Base Budget	House Changes	House Version
Protection and advocacy operations	\$6,453,779	(\$217,848)	\$6,235,931
Total all funds	\$6,453,779	(\$217,848)	\$6,235,931
Less estimated income	3,432,853	(105,928)	3,326,925
General fund	\$3,020,926	(\$111,920)	\$2,909,006
FTE	27.50	(1.00)	26.50

##### Department No. 360 - Protection and Advocacy Project - Detail of House Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Health Insurance Increases <sup>2</sup>	Removes 1 FTE Position <sup>3</sup>	Adjusts Funding for Operating Expenses <sup>4</sup>	Total House Changes
Protection and advocacy operations	(\$17,270)	\$80,140	(\$179,940)	(\$100,778)	(\$217,848)
Total all funds	(\$17,270)	\$80,140	(\$179,940)	(\$100,778)	(\$217,848)
Less estimated income	17,305	41,446	(102,944)	(61,735)	(105,928)
General fund	(\$34,575)	\$38,694	(\$76,996)	(\$39,043)	(\$111,920)
FTE	0.00	0.00	(1.00)	0.00	(1.00)

<sup>1</sup> Funding is adjusted for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

<sup>2</sup> Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.



<sup>3</sup> One FTE position is removed.

<sup>4</sup> Base level funding is adjusted for operating expenses within the protection and advocacy operations line item.

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This amendment also adds a section detailing the amount of funding provided to the agency for employee health insurance premium increases.

#### REPORT OF STANDING COMMITTEE

**HB 1170: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1170 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "sections" with "section"

Page 1, line 4, remove "20.1-10-03,"

Page 1, line 5, remove "20.1-10-04, and 20.1-10-07,"

Page 1, line 5, remove "29-27-02.1,"

Page 1, line 8, after "funds" insert "of motor vehicles, forfeitures for violation of ordinances, seizure procedures"

Page 12, remove lines 23 through 31

Page 13, remove lines 1 through 27

Page 14, remove lines 9 through 17

Page 15, line 16, replace "When" with "Except as otherwise provided by law, when"

Page 15, line 29, replace "Property" with "Except as otherwise provided by law, property"

Page 17, line 2, replace "Personal" with "Except as otherwise provided by law, personal"

Page 17, line 13, replace "Seizure" with "Except as otherwise provided by law, seizure"

Page 18, line 2, replace "Following" with "Except as otherwise provided by law, following"

Page 18, line 30, replace "The" with "Except as otherwise provided by law, the"

Page 21, line 20, replace "A" with "Except as otherwise provided by law, a"

Page 22, line 8, replace "Forfeited" with "Except as otherwise provided by law, forfeited"

Page 22, line 11, replace "Proceeds" with "Except as otherwise provided by law, proceeds"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1174: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1174 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "civil"

Page 1, line 1, after "false" insert "medical assistance"

Page 1, line 6, after "1." insert "a."

Page 1, line 6, replace "includes any" with "means a"

Page 1, line 6, after "demand" insert ", whether under a contract or otherwise."

Page 1, line 6, replace the first underscored comma with "or"

Page 1, line 6, replace "or services made" with "regardless of whether the state has title to that money or property, which is presented"

Page 1, line 7, replace "a governmental unit" with "the state"

Page 1, line 7, after the second "or" insert "is made"

Page 1, line 8, remove "whether under contract or not."

Page 1, line 8, remove "any portion of"

Page 1, line 8, replace the third underscored comma with "or"

Page 1, line 8, remove ", or"

Page 1, line 9, replace "services requested or demanded issued from or was provided by a governmental unit" with "is to be spent or used on behalf of the state or to advance a state program or interest, and if the state:

- (1) Provides or has provided any portion of the money or property requested or demanded; or
- (2) Will reimburse such contractor, grantee, or other recipient for any portion of the money or property that is requested or demanded

Page 1, after line 9, insert

"b."

Page 1, line 10, replace "includes a document submitted as part of or in support of the claim" with "does not include a request or demand for money or property the state has paid to an individual as compensation for state employment or as an income subsidy with no restrictions on that individual's use of the money or property"

Page 1, line 11, remove """Governmental unit" means the state or a political subdivision of the state."

Page 1, replace lines 12 and 13 with:

- ""Knowingly" or "knowing" means an individual who, regardless of whether that individual has an intent to defraud, has actual knowledge of information, acts in deliberate ignorance of the truth or falsity of the information, or acts in reckless disregard of the truth or falsity of the information.
3. "Material" means having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property.
  4. "Obligation" means an established duty, regardless of whether fixed, arising from an express or implied contractual, grantor-grantee, or licensor-licensee relationship, from a fee-based or similar relationship, from statute or regulation, or from the retention of any overpayment.
  5. "Original source" means an individual, who before a public disclosure, voluntarily disclosed to the state the information on which allegations or transactions in the claim are based, or who has knowledge that is independent of and materially adds to the publicly disclosed allegations

or transactions, and who has voluntarily provided the information to the state before filing an action under this Act."

Page 1, line 16, replace "a governmental unit" with "the state"

Page 1, line 17, after the first "thousand" insert "five hundred"

Page 1, line 17, replace "ten" with "eleven"

Page 1, line 18, remove "a"

Page 1, line 19, replace "governmental unit" with "the state"

Page 1, line 21, remove "to an officer or employee of the"

Page 1, line 22, remove "governmental unit"

Page 1, line 22, after "fraudulent" insert "medical assistance"

Page 2, line 2, after "statement" insert "material"

Page 2, line 2, remove "get"

Page 2, line 2, after "fraudulent" insert "medical assistance"

Page 2, line 2, remove "governmental"

Page 2, line 3, replace "unit" with "state"

Page 2, line 6, replace "governmental unit" with "state to provide medical assistance"

Page 2, line 6, remove ", with the intent to defraud the governmental"

Page 2, line 7, remove "unit or to willfully conceal the property."

Page 2, line 8, after "less" insert "than all that"

Page 2, line 8, remove "than the amount for which the person receives"

Page 2, line 9, remove "a certificate or receipt"

Page 2, line 11, replace "governmental unit" with "state"

Page 2, line 12, replace "governmental unit or to willfully conceal the property" with "state"

Page 2, line 13, after "without" insert "completely"

Page 2, line 14, remove "buys or receives as a pledge of an obligation or debt public property of"

Page 2, remove line 15

Page 2, line 16, replace "property" with "conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the state"

Page 2, line 16, after the underscored semicolon insert "or"

Page 2, line 18, after "statement" insert "material"

Page 2, line 18, remove "conceal, avoid, or decrease"

Page 2, line 19, replace "governmental unit or its contractors; or" with "state."

Page 2, remove lines 20 through 23

Page 2, line 25, after the first "thousand" insert "five hundred"

Page 2, line 25, replace "ten" with "eleven"

Page 2, line 27, replace "a governmental unit" with "the state"

Page 2, line 27, after "act" insert ". However, the court may assess not less than two times the amount of damages the state sustains as a result of the act of the person and the person is liable to the state for the costs of the civil action brought to recover any such penalty or damages"

Page 3, line 7, remove "governmental"

Page 3, line 8, replace "unit" with "state"

Page 3, line 12, replace "This section does not apply to claims filed under title 38, 57, or 65" with "The attorney general may adopt rules to increase the minimum amount of civil penalties under this section to address inflation. The attorney general may base this increase on the Federal Civil Penalties Inflation Adjustment Act of 1990 [Pub. L. 101-410; 28 U.S.C. 2461]"

Page 3, line 15, remove "a person may not file a"

Page 3, remove lines 16 through 30

Page 4, replace lines 1 through 7 with "unless opposed by the state, a court shall dismiss an action or a claim brought under this Act if substantially the same allegations or transactions as alleged in the action or claim were publicly disclosed in a criminal, civil, or administrative hearing in which the state or the state's agent is a party; in a legislative, state auditor, or other state report, hearing, audit, or investigation; or from the news media, unless the action is brought by the attorney general, or the person bringing the action is an original source of the information."

Page 4, line 13, replace "governmental unit" with "state"

Page 4, line 24, replace "governmental unit" with "state"

Page 4, line 24, remove the second "governmental"

Page 4, line 25, replace "unit" with "state"

Page 5, line 17, replace "it" with "the action"

Page 5, line 19, replace "governmental unit" with "attorney general"

Page 6, after line 6, insert:

"9. Regardless of whether the attorney general proceeds with the action, upon an in-camera showing by the attorney general that actions of discovery by the person initiating the action would interfere with the attorney general's investigation or prosecution of a criminal or civil matter arising out of the same facts, the court may extend the sixty-day period upon a further in-camera showing that the attorney general has pursued the criminal or civil investigation with reasonable diligence and any discovery in the civil action will interfere with the ongoing investigation or proceedings.

10. The attorney general may elect to pursue the claim through any alternate remedy available, including administrative proceedings to determine a civil penalty. If an alternate remedy is pursued, the person initiating the action has the same rights in such proceeding as the person would in a proceeding under this section. A finding of fact or conclusion of law made in such other proceeding which has become final is conclusive on all parties to an action under this section. A finding or conclusion is final if the finding or conclusion has been determined on appeal to the

appropriate court, if time for filing such an appeal has expired, or if the finding or conclusion is not subject to judicial review.

11. If the attorney general elects to intervene and proceed with an action, the attorney general may file a complaint or amend the complaint of a person that brought an action to clarify or add detail to the claim in which the attorney general is intervening and to add additional claims with which the attorney general contends the attorney general is entitled to relief. For statute of limitations purposes, any such pleading must relate back to the filing date of the complaint of the person that originally brought the action to the extent the attorney general's claim arises out of the conduct, transactions, or occurrences set forth, or attempted to be set forth, in the earlier complaint of that person.

Page 6, line 28, after the third underscored comma insert "or"

Page 7, line 9, remove "or governmental unit"

Page 7, line 16, replace the first underscored comma with "or"

Page 7, line 16, remove ", or knowingly participated in"

Page 7, line 25, replace "governmental unit" with "attorney general"

Page 7, line 26, after "person" insert "bringing the action"

Page 7, line 26, remove "of"

Page 7, remove lines 27 through 29

Page 7, line 30, remove "in the general fund of the governmental unit"

Page 8, line 11, replace "The governmental unit that filed" with "If the state favorably settles or prevails in"

Page 8, line 11, replace "or" with "in which the state"

Page 8, line 11, after "intervened" insert "or filed, the state"

Page 8, line 11, after "to" insert "be awarded"

Page 8, line 11, after "reasonable" insert "expenses, consultant and expert witness fees,"

Page 8, line 11, after "costs" insert an underscored comma

Page 8, line 12, remove "if the action is settled favorably for the governmental unit or the"

Page 8, remove lines 13 through 19

Page 8, line 20, remove "incurred in the prosecution of the action"

Page 8, line 22, replace "governmental unit" with "state"

Page 8, line 22, remove the second "governmental"

Page 8, line 23, replace "unit" with "state"

Page 8, line 23, after the underscored period insert "The expenses, fees, and costs must be awarded against the defendant."

Page 8, line 26, after "action" insert an underscored comma

Page 8, line 26, replace "governmental unit" with "state"

Page 8, line 27, replace "a governmental unit" with "the state"

Page 8, line 29, replace "**Prohibitions on employers - Employee remedies**" with "**Relief from retaliatory actions**"

Page 8, remove lines 30 and 31

Page 9, replace lines 1 through 16 with:

- "1. An employee, contractor, or agent is entitled to all relief necessary to make that employee, contractor, or agent whole, if that employee, contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, or agent or associated others in furtherance of an action under this Act or other efforts to stop one or more violations of this Act.
2. Relief under subsection 1 must include reinstatement with the same seniority status that employee, contractor, or agent would have had but for the discrimination, two times the amount of backpay, interest on the backpay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorney's fees. An action under this subsection may be brought in the appropriate district court for the relief provided in this subsection.
3. A civil action under this section may not be brought more than three years after the date the retaliation occurred."

Page 9, line 19, replace the first "the" with "a"

Page 9, line 19, after "defendant" insert "under this Act."

Page 9, line 24, after "**False**" insert "**medical assistance**"

Page 9, line 27, after "fraudulent" insert "medical assistance"

Page 9, line 28, after "valid" insert "medical assistance"

Page 10, line 1, after "fraudulent" insert "medical assistance"

Page 10, line 5, after "fraudulent" insert "medical assistance"

Page 10, line 9, after "fraudulent" insert "medical assistance"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1199, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (17 YEAS, 1 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HB 1199 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1201: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1201 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "alarms" with "detection devices"

Page 1, line 5, remove "alarms"

Page 1, line 5, after the semicolon insert "to provide a penalty;"

Page 1, line 9, overstrike "**systems**" and insert immediately thereafter "**devices**"

Page 1, line 12, overstrike "systems" and insert immediately thereafter "devices"

Page 1, line 13, overstrike "systems" and insert immediately thereafter "devices"

Page 1, line 13, overstrike "Systems" and insert immediately thereafter "Devices"

Page 1, line 17, overstrike "systems" and insert immediately thereafter "devices"

Page 1, line 18, replace "Systems" with "Devices"

Page 1, line 21, replace "systems" with "devices"

Page 1, line 22, replace "systems" with "devices"

Page 1, line 24, overstrike the first "system" and insert immediately thereafter "device"

Page 1, line 24, overstrike the second "system" and insert immediately thereafter "device"

Page 2, line 5, overstrike "systems or alarm systems" and insert immediately thereafter "detection devices"

Page 2, line 7, overstrike "system" and insert immediately thereafter "device"

Page 2, line 8, overstrike "a class B misdemeanor" and insert immediately thereafter "an infraction"

Page 2, line 18, replace "alarm or system" with "device"

Page 2, line 22, replace "alarm or system" with "device"

Page 2, line 23, replace "alarm" with "detection device"

Page 2, line 26, replace "alarm" with "detection device"

Page 3, remove lines 15 through 22

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1228: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1228 was placed on the Sixth order on the calendar.

Page 2, line 11, after the underscored period insert "A business trust, whether domestic or foreign, may not own any interest in real property within this state."

Page 4, line 29, replace "section" with "chapter"

Page 24, line 6, replace "Act" with "chapter"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1269: 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). HB 1269 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 9 of section 12.1-32-02 and"

Page 1, remove lines 5 through 11

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1389: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS**

**AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1389 was placed on the Sixth order on the calendar.

Page 1, remove line 7

Page 1, line 8, replace "Respect" with "The superintendent of public instruction shall respect"

Page 1, line 8, remove "public"

Page 1, line 9, remove "school and"

Page 1, line 9, remove "activity, practice, or testing, with no interference from the state, which"

Page 1, line 10, replace "the parent finds unacceptable or" with "survey or testing that is not a part of a curriculum."

Page 1, line 11, remove "This subsection does not prohibit the state from funding public"

Page 1, remove line 12

Page 2, line 15, replace "sections" with "section"

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1392: 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). HB 1392 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 to amend and reenact section 14-09-00.1 and subsection 1 of section 14-09-29 of the North Dakota Century Code, relating to a presumption of equal parenting time and responsibility; and to provide for a legislative management study.

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

**SECTION 1. AMENDMENT.** Section 14-09-00.1 of the North Dakota Century Code is amended and reenacted as follows:

##### **14-09-00.1. Definitions.**

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

1. "Decisionmaking responsibility" means the responsibility to make decisions concerning the child. The term may refer to decisions on all issues or on specified issues, but not child support issues.
2. "Equal parenting time and residential responsibility" means each parent has the child in that parent's care for a time that is equal to or as close to fifty percent of the time as can be arranged based on the circumstances but which is not less than thirty-five percent of the time.
3. "Parental rights and responsibilities" means all rights and responsibilities a parent has concerning the parent's child.
- ~~3-4.~~ "Parenting plan" means a written plan describing each parent's rights and responsibilities.
- ~~4-5.~~ "Parenting schedule" means the schedule of when the child is in the care of each parent.



- 5-6. "Parenting time" means the time when the child is to be in the care of a parent.
- 6-7. "Primary residential responsibility" means a parent with more than fifty percent of the residential responsibility.
- 7-8. "Residential responsibility" means a parent's responsibility to provide a home for the child.

**SECTION 2. AMENDMENT.** Subsection 1 of section 14-09-29 of the North Dakota Century Code is amended and reenacted as follows:

1. a. A court issuing an order that deals with parenting rights and responsibilities of a child entered under this chapter shall award the parental rights and responsibilities concerning the child to a person, agency, organization, or institution as will, in the opinion of the court, promote the best interests and welfare of the child.
- b. Between the mother and father, whether married or unmarried, there is no presumption as to whom will better promote the best interests and welfare of the child.
- c. In any proceeding dealing with parental rights and responsibilities, there is a rebuttable presumption that equal parenting time and residential responsibility promotes the best interests and welfare of the child. If the court declines to enter an order awarding equal parenting time and residential responsibility, the court shall articulate in its decision the rationale for the denial of equal parenting time and residential responsibility.

**SECTION 3. PARENTING RIGHTS AND RESPONSIBILITIES - LEGISLATIVE MANAGEMENT STUDY.** During the 2017-18 interim, the legislative management shall consider studying, in consultation with the family law task force of the family law section of the state bar association of North Dakota, parental rights and responsibility issues, including shared parenting, joint decisionmaking responsibility for the child, the best interest factors used by the court in making parental rights and responsibilities decisions, and the modification and enforcement of parental rights and responsibilities orders. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty- sixth legislative assembly.

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1397: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1397 was placed on the Sixth order on the calendar.

Page 1, line 21, after the underscored period insert "A bill introduced under this subsection by a member of the legislative assembly also must specify the name of the requesting entity."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HCR 3008: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3008 was placed on the Eleventh order on the calendar.

#### FIRST READING OF SENATE BILL

**SB 2302:** A BILL for an Act to amend and reenact sections 12-60-05 and 12.1-29-07, subsection 1 of section 29-06-05.2, and sections 54-12-01.1 and 54-12-28 of the North Dakota Century Code, relating to appointment of ad hoc special agents, the offender education program, authority for federal law enforcement officers to make

arrests, online publication of eminent domain information, and twenty-four seven program records and statistics; to repeal section 19-03.1-44 of the North Dakota Century Code, relating to a drug use status and trends report; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

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

**Buell J. Reich, Chief Clerk**