

## JOURNAL OF THE SENATE

## Sixty-third Legislative Assembly

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Bismarck, February 4, 2013

The Senate convened at 1:00 p.m., with President Wrigley presiding.

The prayer was offered by Pastor Thomas Olson, Trinity Lutheran Parish, Dodge, Golden Valley, Zap.

The roll was called and all members were present except Senators Berry, Lyson, and Robinson.

A quorum was declared by the President.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. PRESIDENT:** Your **Committee on Correction and Revision of the Journal (Sen. Andrist, Chairman)** has carefully examined the Journal of the Nineteenth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 219, line 40, after "passed," insert "the emergency clause carried,"

**SEN. ANDRIST MOVED** that the report be adopted, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2026: SEN. HECKAMAN (Agriculture Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2278: SEN. SORVAAG (Political Subdivisions Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## MOTION

**SEN. KLEIN MOVED** that SB 2254 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2254 was rereferred.

## MOTION

**SEN. KLEIN MOVED** that SB 2346 be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2346 was rereferred.

## MOTION

**SEN. KLEIN MOVED** that SB 2117, which is on the Sixth order, be laid over one legislative day, and that SB 2113, which is on the Eleventh order, be laid over one legislative day, and that SB 2115, which is on the Eleventh order, be laid over one legislative day, and that SCR 4008, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

## SECOND READING OF SENATE BILL

**SB 2202:** A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to professional transparency for health care practitioners.

## 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 10 YEAS, 34 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Axness; Bowman; Dotzenrod; Erbele; Flakoll; Kilzer; Lee, G.; Marcellais; Nelson; Schneider

**NAYS:** Anderson; Andrist; Armstrong; Burckhard; Campbell; Carlisle; Cook; Dever; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Laffen; Larsen; Lee, J.; Luick; Mathern; Miller; Murphy; O'Connell; Oehlke; Poolman; Schaible; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry; Lyson; Robinson

SB 2202 failed.

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

**SB 2151:** A BILL for an Act to provide for regulation of scrap metal purchases by scrap metal dealers; and to provide a penalty.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry; Lyson; Robinson

SB 2151 passed.

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

**SB 2090:** A BILL for an Act to amend and reenact section 57-39.2-02.1, subsections 22 and 35 of section 57-39.2-04, sections 57-39.2-08.2 and 57-40.2-02.1, and subsections 10 and 18 of section 57-40.2-04 of the North Dakota Century Code, relating to sales and use tax on manufactured homes; and to provide an effective date.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry; Lyson; Robinson

Engrossed SB 2090 passed.

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

**SB 2220:** A BILL for an Act to create and enact a new section to chapter 48-02.1 of the North Dakota Century Code, relating to public records; and to amend and reenact sections 48-02.1-01, 48-02.1-02, 48-02.1-03, 48-02.1-04, 48-02.1-06, 48-02.1-07, 48-02.1-09, 48-02.1-10, 48-02.1-11, and 48-02.1-12 of the North Dakota Century Code, relating to public private partnerships.

#### **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 11 YEAS, 33 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Bowman; Campbell; Dotzenrod; Grindberg; Nelson; Oehlke; Schneider; Wardner

**NAYS:** Axness; Burckhard; Carlisle; Cook; Dever; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; O'Connell; Poolman; Schaible; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Warner

**ABSENT AND NOT VOTING:** Berry; Lyson; Robinson

SB 2220 failed.

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

**SB 2131:** A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to genetic counseling; 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 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Andrist

**ABSENT AND NOT VOTING:** Berry; Lyson; Robinson

Engrossed SB 2131 passed.

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

**SB 2184:** A BILL for an Act to amend and reenact section 43-06-17 of the North Dakota Century Code, relating to chiropractors practicing in hospitals.

#### **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 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry; Dotzenrod; Lyson; Robinson

Engrossed SB 2184 passed.

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

**SB 2196:** A BILL for an Act to amend and reenact sections 39-20-01 and 39-20-14 of the North Dakota Century Code, relating to implied consent and screening tests.

**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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry; Lyson; Robinson

Engrossed SB 2196 passed.

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**SECOND READING OF SENATE BILL**

**SB 2126:** A BILL for an Act to create and enact section 12.1-23-16 and a new subsection to section 57-39.2-14 of the North Dakota Century Code, relating to the prohibition of automated sales suppression devices; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry; Robinson

Engrossed SB 2126 passed.

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**SECOND READING OF SENATE BILL**

**SB 2106:** A BILL for an Act to create and enact sections 57-36-05.3, 57-36-05.4, and 57-36-06.1 of the North Dakota Century Code, relating to the operation of roll-your-own cigarette-making machines; to amend and reenact sections 57-36-01 and 57-36-33 of the North Dakota Century Code, relating to the definitions of cigarette and roll-your-own cigarette-making machine for tobacco products tax purposes; to provide a penalty; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** O'Connell

**ABSENT AND NOT VOTING:** Berry; Robinson

Engrossed SB 2106 passed.

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**SECOND READING OF SENATE BILL**

**SB 2199:** A BILL for an Act to amend and reenact sections 61-16.1-02, 61-16.1-40.1, 61-16.1-45, 61-16.1-51, 61-16.1-53, 61-21-46, 61-21-47, and 61-32-07 of the North Dakota Century Code, relating to drainage projects.

**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 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** O'Connell

**ABSENT AND NOT VOTING:** Berry; Robinson

SB 2199 passed.

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**SECOND READING OF SENATE BILL**

**SB 2270:** A BILL for an Act to amend and reenact subsection 1 of section 48-01.2-04 and subsection 3 of section 48-01.2-19 of the North Dakota Century Code, relating to the publication of advertisements for bids for public improvement contracts.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry; Robinson

SB 2270 passed.

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**SECOND READING OF SENATE BILL**

**SB 2301:** A BILL for an Act to amend and reenact section 54-07-07 of the North Dakota Century Code, relating to grants from the governor's prevention and advisory council; and to provide for an appropriation.

**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 11 YEAS, 34 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Axness; Dotzenrod; Flakoll; Heckaman; Mathern; Murphy; O'Connell; Schneider; Sinner; Warner

**NAYS:** Anderson; Armstrong; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Grabinger; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Miller; Nelson; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Berry; Robinson

SB 2301 failed.

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

**SB 2213:** A BILL for an Act to amend and reenact sections 1-08-09, 16.1-10-06, and 16.1-10-06.2 of the North Dakota Century Code, relating to the restricted area around polling places for certain activities.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry; Robinson

SB 2213 passed.

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### **MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2025, SB 2169, SB 2174, SB 2175, SB 2239, SB 2257, SB 2265, SCR 4005.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1085, HB 1178, HB 1181, HB 1195, HB 1197, HB 1280, HB 1320, HB 1406, HB 1417.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3004.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1214.

### **MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2176.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2176.

### **MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The President has signed: SB 2176.

### **DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on February 4, 2013: SB 2176.

### **COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on February 4, 2013, I have signed the following: SB 2176.

### **MOTION**

**SEN. KLEIN MOVED** that the absent members be excused, which motion prevailed.

### **MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of

business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, February 5, 2013, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2118: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2118 was placed on the Sixth order on the calendar.

Page 1, line 16, after "or" insert "a"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2163: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2163 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2206: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO NOT PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2206 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2209: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2209 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2211: Agriculture Committee (Sen. Miller, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2211 was placed on the Sixth order on the calendar.

Page 1, line 18, replace "Adequate care" with "Neglect"

Page 1, remove lines 19 and 20

Page 1, line 21, replace "2." with "1."

Page 1, line 21, replace "fails to meet the requirements of this section" with "engages in animal neglect"

Page 1, line 22, after "first" insert "or a second"

Page 1, line 22, replace "second" with "third"

Page 1, line 23, replace "five" with "ten"

Page 2, replace lines 1 through 10 with:

"2. For purposes of this chapter, "neglect" means the failure to provide an animal with:

- a. Food and water, as appropriate for the species, the breed, and the animal's age and physical condition;
- b. Shelter from the elements, as appropriate for the species, the breed, and the animal's age and physical condition;
- c. Necessary medical attention; and
- d. An environment that is:

- (1) Ventilated in a manner appropriate for the species, the breed, and the animal's age and physical condition;
- (2) Cleaned in a manner appropriate for the species, the breed, and the animal's age and physical condition; and
- (3) Free of conditions likely to cause injury or death to an animal of that species, breed, age, and physical condition."

Page 2, line 11, replace "4." with "3."

Page 2, line 14, after the second underscored comma insert "training."

Page 2, line 26, after "that" insert "willfully"

Page 2, line 26, after "first" insert "or a second"

Page 2, line 27, replace "second" with "third"

Page 2, line 27, replace "five" with "ten"

Page 3, line 4, after the second underscored comma insert "training."

Page 3, line 18, after "that" insert "willfully"

Page 3, line 20, remove "willful"

Page 3, line 24, remove "willful"

Page 3, line 29, after the second underscored comma insert "training."

Page 4, remove line 12

Page 4, line 13, replace "2." with "1."

Page 4, line 13, replace "abandons" with "engages in the abandonment of"

Page 4, line 14, after "first" insert "or a second"

Page 4, line 14, replace "second" with "third"

Page 4, line 15, replace "five" with "ten"

Page 4, line 16, replace "3." with "2."

Page 4, line 19, replace "adequately" with "provide"

Page 4, line 25, replace "4." with "3."

Page 4, line 28, after the second underscored comma insert "training."

Page 5, after line 7, insert:

- "4. For purposes of this section, "care" means food, water, and shelter from the elements, as appropriate for the species, the breed, and the animal's age and physical condition, and necessary medical attention."

Page 5, line 10, replace "denied adequate care" with "neglected"

Page 5, line 21, after "provide" insert "care for"

Page 5, line 21, remove "with adequate care"

Page 5, line 22, after the underscored period insert "For purposes of this subsection, "care" means food, water, and shelter from the elements, as appropriate for the species,



the breed, and the animal's age and physical condition, and necessary medical attention."

Page 6, line 14, remove "adequate"

Page 7, line 1, after "Provide" insert "care for"

Page 7, line 1, remove "with adequate care"

Page 8, after line 2, insert:

"8. For purposes of this section, "care" means food, water, and shelter from the elements, as appropriate for the species, the breed, and the animal's age and physical condition, and necessary medical attention."

Page 8, line 8, replace "denied adequate care" with "neglected"

Page 8, line 30, after the second underscored comma insert "training."

Page 9, after line 21, insert:

**"36-21.2-15. Collectives - Status of offense.**

If any violation of this chapter involves a band, flock, herd, litter, pack, or other collective of same-species animals, the violation is deemed to be a singular incident for purposes of determining the status of the offense."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3015: Education Committee (Sen. Flakoll, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3015 was placed on the Fourteenth order on the calendar.

The Senate stood adjourned pursuant to Senator Klein's motion.

**William R. Horton, Secretary**

