

## JOURNAL OF THE SENATE

## Sixty-fourth Legislative Assembly

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Bismarck, April 2, 2015

The Senate convened at 12:00 p.m., with President Wrigley presiding.

The prayer was offered by Senator Rust, District 2.

The roll was called and all members were present except Senators Davison and Erbele.

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. Poolman, Chairman)** has carefully examined the Journal of the Twenty-fifth and Fifty-ninth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 309, after line 10, insert:

**"CONSIDERATION OF AMENDMENTS**

**SB 2171: SEN. MURPHY** (Industry, Business and Labor 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."

Page 1051, line 45, replace "1039-1040" with "1034-1035"

Page 1056, line 20, replace "940-943" with "940-944"

Page 1060, line 17, replace "963-964" with "963-965"

Page 1061, line 16, replace "966" with "966-967"

Page 1070, replace lines 25 thru 30 with:

**"SB 2092:** Reps. D. Johnson; Looysen; Hunskor

**SB 2109:** Reps. Weisz; Olson; M. Nelson

**SB 2120:** Reps. Froeth; Lefor; Hunskor

**SB 2143:** Reps. Dickter; Trottier; Mitskog

**SB 2326:** Reps. Schreiber Beck; Zubke; Mock

**SB 2356:** Reps. Brabandt; Nathe; Muscha

**SCR 4011:** Reps. Looysen; Meier; Nathe"

Page 1070, replace lines 42 thru 47 with:

**"HB 1056:** Reps. Owens; Dockter; Haak

**HB 1206:** Reps. Owens; Meier; Delmore

**HB 1256:** Reps. D. Anderson; Porter; Mooney

**HB 1283:** Reps. D. Johnson; Schreiber Beck; Kelsh

**HB 1396:** Reps. Hofstad; Fehr; Oversen

**HB 1469:** Reps. Sukut; Paur; Hanson"

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

**CONSIDERATION OF AMENDMENTS**

**HB 1095, as engrossed: SEN. SCHAIBLE (Energy and Natural Resources Committee)** **MOVED** that the amendments on SJ pages 1071-1072 be adopted and then be placed on

the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF HOUSE BILL**

**HB 1095:** A BILL for an Act to amend and reenact subsection 2 of section 61-16.1-09, section 61-16.1-53.1, subsection 4 of section 61-21-01, and section 61-32-08 of the North Dakota Century Code, relating to a water resource board's eminent domain power, administrative hearings for noncomplying dams, dikes, and other devices, the definition of drain, and administrative hearings for drainage projects.

#### **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 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Cook; Dotzenrod; O'Connell; Robinson

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1095, as amended, passed.

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#### **CONSIDERATION OF AMENDMENTS**

**HB 1089, as engrossed: SEN. LAFFEN (Finance and Taxation Committee) MOVED** that the amendments on SJ page 1071 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF HOUSE BILL**

**HB 1089:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales tax exemption for enterprise information technology equipment and computer software purchased for use in a qualified data center; to provide for a retroactive 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 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1089, as amended, passed.

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#### **CONSIDERATION OF AMENDMENTS**

**HB 1210, as engrossed: SEN. NELSON (Judiciary Committee) MOVED** that the amendments on SJ page 1072 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF HOUSE BILL**

**HB 1210:** A BILL for an Act to create and enact subdivision g of subsection 1 of section

27-20-30 of the North Dakota Century Code, relating to time for beneficial transition of a child to or from temporary legal custody.

#### 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, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Armstrong; Oehlke; Unruh

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1210, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1328, as engrossed: SEN. CASPER (Judiciary Committee) MOVED** that the amendments on SJ page 1072 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1328:** A BILL for an Act to provide for limitations on the use of an unmanned aerial vehicle for surveillance.

#### 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 29 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Casper; Cook; Dever; Dotzenrod; Erbele; Flakoll; Heckaman; Hogue; Kilzer; Krebsbach; Larsen; Lee, G.; Miller; Nelson; Oban; Poolman; Schaible; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Campbell; Carlisle; Grabinger; Holmberg; Klein; Laffen; Lee, J.; Luick; Marcellais; Mathern; Murphy; O'Connell; Oehlke; Robinson; Rust; Schneider; Sinner

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1328, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1399, as engrossed: SEN. HOGUE (Judiciary Committee) MOVED** that the amendments on SJ page 1073 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1399:** A BILL for an Act to provide for a legislative management study of spousal support.

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

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue;

Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Davison

Engrossed HB 1399, as amended, passed.

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#### **CONSIDERATION OF AMENDMENTS**

**HB 1102: SEN. KLEIN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 1072 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### **SECOND READING OF HOUSE BILL**

**HB 1102:** A BILL for an Act to create and enact subsection 9 to section 65-05-32 of the North Dakota Century Code, relating to privacy of records; to amend and reenact subsection 21 of section 65-01-02, subsection 1 of section 65-01-15.1, sections 65-05-10 and 65-05-20.1, subsection 1 of section 65-05.1-06.1, and sections 65-05.1-06.3, 65-05.1-08, and 65-06-03 of the North Dakota Century Code, relating to definition of a health care provider, presumption of compensability for full-time paid firefighters and law enforcement, payment of temporary partial disability benefits, rules for the workforce safety and insurance scholarship fund, issuance of vocational rehabilitation decisions, rehabilitation pilot programs, rules for the educational revolving loan fund, and average weekly wages for volunteer firefighters, volunteer health practitioners, and volunteer emergency responders; 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 41 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Kilzer; Klein; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Miller; Murphy; Nelson; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Holmberg; Krebsbach; Mathern; O'Connell; Schneider

**ABSENT AND NOT VOTING:** Davison

HB 1102, as amended, passed.

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#### **THE SENATE RECOGNIZED THE PRESENCE OF:**

Paul Hamilton Williams, Jr., singer, songwriter, actor, author, and recovery advocate as well as winner of an Oscar, multiple Grammy and Golden Globe Awards and Songwriters Hall of Fame inductee

#### **SECOND READING OF HOUSE BILL**

**HB 1235:** A BILL for an Act create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to the game of electronic quick shot bingo.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 25 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Armstrong; Axness; Bekkedahl; Burckhard; Campbell; Carlisle; Casper; Flakoll;

Grabinger; Holmberg; Krebsbach; Laffen; Larsen; Lee, J.; Miller; Nelson; O'Connell; Oehlke; Poolman; Schaible; Schneider; Sinner; Sorvaag; Unruh; Wanzek

**NAYS:** Anderson; Bowman; Cook; Dever; Dotzenrod; Erbele; Heckaman; Hogue; Kilzer; Klein; Lee, G.; Luick; Marcellais; Mathern; Murphy; Oban; Robinson; Rust; Triplett; Wardner; Warner

**ABSENT AND NOT VOTING:** Davison

Reengrossed HB 1235 passed.

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### SECOND READING OF HOUSE BILL

**HB 1294:** A BILL for an Act to amend and reenact section 34-01-20 of the North Dakota Century Code, relating to prohibited employer retaliation; 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 20 YEAS, 26 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Axness; Campbell; Cook; Dotzenrod; Flakoll; Grabinger; Heckaman; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Robinson; Schneider; Sinner; Triplett; Warner

**NAYS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Carlisle; Casper; Dever; Erbele; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Miller; Oehlke; Poolman; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

HB 1294 failed.

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### APPOINTMENT OF CONFERENCE COMMITTEE

**SEN. KLEIN MOVED** that the President appoint a new committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1056, Engrossed HB 1206, Engrossed HB 1256, Engrossed HB 1283, Engrossed HB 1396, and Engrossed HB 1469, which motion prevailed.

**THE PRESIDENT APPOINTED** as a new Conference Committee on:

**Engrossed HB 1056:** Sens. Unruh, Cook, Triplett

**Engrossed HB 1206:** Sens. Rust, Campbell, Axness

**Engrossed HB 1256:** Sens. Dever, Larsen, Warner

**Engrossed HB 1283:** Sens. Flakoll, Schaible, Marcellais

**Engrossed HB 1396:** Sens. Larsen, Anderson, Axness

**Engrossed HB 1469:** Sens. Casper, Rust, Sinner

### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. COOK MOVED** that the Senate do concur in the House amendments to Reengrossed SB 2292 as printed on SJ pages 1019-1033, which motion failed on a voice vote.

### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. J. LEE MOVED** that the Senate do concur in the House amendments to SB 2231 as printed on SJ page 1018, which motion prevailed on a voice vote.

SB 2231 as amended, was placed on the Eleventh order of business.

### SECOND READING OF SENATE BILL

**SB 2231:** A BILL for an Act to amend and reenact section 26.1-08-06 of the North Dakota Century Code, relating to the comprehensive health association; comprehensive

health association of North Dakota notification of policy holders; to provide a contingent 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 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Larsen

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2231 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. DEVER MOVED** that the Senate do concur in the House amendments to SB 2277 as printed on SJ pages 1069-1070, which motion prevailed on a voice vote.

SB 2277 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2277:** A BILL for an Act to amend and reenact section 54-55-01 of the North Dakota Century Code, relating to membership on the commission on uniform state laws.

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

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

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2277 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. KLEIN MOVED** that the Senate do concur in the House amendments to Engrossed SB 2105 as printed on SJ pages 1065-1066, which motion prevailed on a voice vote.

Engrossed SB 2105 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2105:** A BILL for an Act to amend and reenact section 26.1-39-05 of the North Dakota Century Code, relating to property and casualty insurance valuation.

#### 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 46 YEAS,

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

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

**ABSENT AND NOT VOTING:** Davison

Reengrossed SB 2105 passed.

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#### **CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. BURCKHARD MOVED** that the Senate do concur in the House amendments to Reengrossed SB 2343 as printed on SJ page 1067, which motion prevailed on a voice vote.

Reengrossed SB 2343 as amended, was placed on the Eleventh order of business.

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

**SB 2343:** A BILL for an Act to create and enact a new section to chapter 54-17 of the North Dakota Century Code, relating to a report on the fiscal impact of certain actions by the industrial commission to the legislative assembly or budget section; and to provide for retroactive 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 32 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Dever; Erbele; Flakoll; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Miller; O'Connell; Oehlke; Poolman; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

**NAYS:** Axness; Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Murphy; Nelson; Oban; Robinson; Schneider; Sinner; Triplett; Warner

**ABSENT AND NOT VOTING:** Davison

Reengrossed SB 2343 passed.

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#### **CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. DEVER MOVED** that the Senate do concur in the House amendments to Engrossed SB 2299 as printed on SJ page 1067, which motion prevailed on a voice vote.

Engrossed SB 2299 as amended, was placed on the Eleventh order of business.

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

**SB 2299:** A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign contributions through a conduit; to amend and reenact sections 16.1-08.1-01 and 16.1-08.1-06 of the North Dakota Century Code, relating to campaign contributions and reporting of contributions through a conduit; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle;

Casper; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Davison

Reengrossed SB 2299 passed.

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#### **CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do concur in the House amendments to SB 2085 as printed on SJ pages 1063-1065, which motion prevailed on a voice vote.

SB 2085 as amended, was placed on the Eleventh order of business.

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

**SB 2085:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and section 43-25-08.1 of the North Dakota Century Code, relating to criminal history record checks for massage therapists; and to amend and reenact sections 43-25-05, 43-25-05.1, 43-25-06, 43-25-09, 43-25-10, 43-25-14, and 43-25-18 of the North Dakota Century Code, relating to massage therapist licensure.

#### **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 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Armstrong; Poolman; Unruh

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2085 passed.

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#### **CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. J. LEE MOVED** that the Senate do concur in the House amendments to SCR 4006 as printed on SJ pages 1067-1069, which motion prevailed on a voice vote.

SCR 4006 as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4006:** A concurrent resolution directing the Legislative Management to study the impact of the marriage penalty within the supplemental security income program and the impact of the marriage penalty on retirement benefits under the Social Security Act and encouraging the North Dakota Congressional Delegation to address the impact within the Social Security laws.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed SCR 4006 was declared adopted on a voice vote.



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**CONSIDERATION OF MESSAGES FROM THE HOUSE**

**SEN. HOGUE MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2072 as printed on SJ pages 1015-1016 and in the House amendments to Engrossed SB 2161 as printed on SJ pages 1016-1018 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEES**

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed SB 2072:** Sens. Casper, Luick, Nelson.

**Engrossed SB 2161:** Sens. Hogue, Armstrong, Grabinger.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. COOK MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2113 as printed on SJ pages 883-884 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed SB 2113:** Sens. Bekkedahl, Oehlke, Triplett.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

**SEN. J. LEE MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2050 as printed on SJ pages 993-994, in the House amendments to Engrossed SB 2066 as printed on SJ pages 830-831, in the House amendments to Engrossed SB 2259 as printed on SJ page 831, in the House amendments to Engrossed SB 2334 as printed on SJ page 1033, and in the House amendments to Engrossed SB 2367 as printed on SJ pages 903-904 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEES**

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed SB 2050:** Sens. J. Lee, Dever, Axness.

**Engrossed SB 2066:** Sens. Anderson, Dever, Axness.

**Engrossed SB 2259:** Sens. Anderson, J. Lee, Warner.

**Engrossed SB 2334:** Sens. Anderson, J. Lee, Warner.

**Engrossed SB 2367:** Sens. Larsen, Dever, Warner.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. HOGUE MOVED** that the Senate do not concur in the House amendments to Engrossed SCR 4010 as printed on SJ page 1069 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed SCR 4010:** Sens. Hogue, Armstrong, Grabinger.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1235.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, unchanged: HCR 3004.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1089, HB 1095, HB 1102, HB 1210, HB 1328, HB 1399.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1005, HB 1017, HB 1022, HB 1024, HB 1057, HB 1124, HB 1229, HB 1359, HB 1372, HB 1409.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1294.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SB 2219, SB 2232, SB 2357.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2070, SB 2139, SB 2214, SB 2250, SB 2368.

#### **HOUSE AMENDMENTS TO SENATE BILL NO. 2070**

Page 1, line 12, after the underscored comma insert "the state's attorney must find that"

Page 1, line 13, remove "must have"

Page 1, line 15, after "individual" insert "and that the overdosed individual was determined to have been in need of emergency medical services"

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2139**

Page 1, line 2, remove "39-05-02.2,"

Page 1, line 3, remove "39-24-01,"

Page 1, line 3, remove "39-24-03,"

Page 1, line 3, remove "39-24-04, 39-24-05, 39-24-06,"

Page 1, remove lines 8 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 4

Page 3, line 7, remove the overstrike over "**registration**"

Page 3, line 7, remove "licensing"

Page 3, line 7, remove the overstrike over "~~**Title certificate**~~"

Page 3, line 7, remove "Identification numbers"

Page 3, line 11, remove the overstrike over "registered"

Page 3, line 11, remove "numbered and licensed"

Page 3, line 12, remove the overstrike over "~~titled under the provisions of~~"

Page 3, line 13, remove the overstrike over "~~chapter 39-05~~"

Page 3, line 13, remove "numbered and licensed"

Page 3, line 14, remove the overstrike over "titled"

Page 3, line 15, remove the overstrike over "~~under the provisions of chapter 39-05~~"

Page 3, line 15, remove "numbered and licensed"

Page 3, remove lines 16 through 31

Page 4, remove lines 1 through 23

Page 5, remove lines 7 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 4

Page 7, line 15, remove "of the parks and recreation department"

Page 7, line 16, remove the overstrike over the first "registration"

Page 7, line 16, remove the first "licensing"

Page 7, line 16, remove the overstrike over the second "-registration"

Page 7, line 16, remove "licensing identification"

Page 7, line 17, remove "as to provide clear legibility for identification"

Page 13, remove lines 17 through 24

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2214**

Page 1, line 1, after "reenact" insert "subsection 4 of section 51-30-01 and"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 4 of section 51-30-01 of the North Dakota Century Code is amended and reenacted as follows:

4. a. "Personal information" means an individual's first name or first initial and last name in combination with any of the following data elements, when the name and the data elements are not encrypted:
  - (1) The individual's social security number;
  - (2) The operator's license number assigned to an individual by the department of transportation under section 39-06-14;
  - (3) A nondriver color photo identification card number assigned to the individual by the department of transportation under section 39-06-03.1;
  - (4) The individual's financial institution account number, credit card number, or debit card number in combination with any required security code, access code, or password that would permit access to an individual's financial accounts;
  - (5) The individual's date of birth;
  - (6) The maiden name of the individual's mother;
  - (7) Medical information;
  - (8) Health insurance information;
  - (9) An identification number assigned to the individual by the individual's employer in combination with any required security code, access code, or password; or
  - (10) The individual's digitized or other electronic signature.

- b. "Personal information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records."

Page 1, line 7, overstrike "that conducts business in this state, and"

Page 1, line 8, overstrike "of the"

Page 1, line 11, replace "conducts business in this state" with "experiences a breach of the security system as provided in this section"

Page 1, line 12, remove "by mail any breach"

Page 1, line 12, after "general" insert "by mail or email any breach of the security system which exceeds two hundred fifty individuals"

Renumber accordingly

#### HOUSE AMENDMENTS TO SENATE BILL NO. 2250

Page 1, line 21, after "force" insert ", coercion,"

Page 1, line 21, overstrike the first "or"

Page 1, line 21, after the first comma insert "or deception,"

Renumber accordingly

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2368

Page 1, line 20, replace "connect with" with "transport"

Page 1, line 20, after "passengers" insert "for compensation"

Page 1, line 24, replace "provides" with "enables"

Page 2, line 1, after "with" insert "independent participating"

Page 2, line 3, after "that" insert "specifically"

Page 2, line 24, remove "following"

Page 3, line 6, replace "of one million dollars" with "under subsection 3 of section 26.1-40-15.2"

Page 3, line 27, remove the second "fifty"

Page 3, line 28, replace "fifty" with "twenty-five"

Page 3, line 30, remove "subsection 3 of"

Page 3, line 30, replace "26.1-40-15.1" with "26.1-40-15.2"

Page 4, line 1, remove "subsection 2 of"

Page 4, line 1, replace "26.1-40-15.1" with "26.1-40-15.3"

Page 4, line 9, replace "subsection" with "subdivision"

Page 4, line 12, replace "subsections" with "subdivisions"

Page 4, line 13, remove "A transportation network company may meet its obligations under this section through"

Page 4, remove lines 14 through 22

Page 4, line 23, remove "5."

Page 5, line 4, after "that" insert "specifically"

Page 5, line 5, replace "more" with "fewer"

Page 5, line 19, remove "1."

Page 5, remove lines 25 through 28

Page 6, after line 4, insert:

**"26.1-40.1-11. Conditional no fault insurance coverage.**

An insurer that writes a personal automobile insurance policy may allow no fault insurance coverage to be conditional on transportation network company no fault insurance coverage pursuant to 26.1-40.1-03 and 26.1-40.1-04."

Page 6, remove lines 5 through 29

Page 7, remove lines 1 through 30

Page 8, remove lines 1 and 2

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2178, SB 2189, SB 2312.

**HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2178**

Page 1, line 1, remove "a new section to chapter 15.1-36 and"

Page 1, line 2, remove "the school district construction"

Page 1, line 3, remove "fund and"

Page 1, line 3, remove "to"

Page 1, line 4, remove "provide an appropriation;"

Page 1, remove lines 6 through 24

Page 2, remove lines 1 through 17

Page 2, remove lines 30 and 31

Page 3, remove lines 1 through 4

Page 3, line 5, replace "2" with "1"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2189**

Page 1, line 1, after the third comma insert "43-35-09,"

Page 1, line 2, remove "and"

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

Page 1, line 9, overstrike "president"

Page 1, line 10, after "to" insert "chairman"

Page 1, line 11, overstrike "president, vice president" and insert immediately thereafter "chairman, vice chairman"

Page 1, line 11, overstrike "The secretary-treasurer need not be a"

Page 1, line 12, overstrike "member of the board."

Page 1, line 12, overstrike "and"

Page 1, line 13, overstrike "regulations"

Page 1, line 20, replace "secretary-treasurer shall" with "board shall appoint one of its members to"

Page 2, line 6, after "rate" insert "by rule"

Page 2, after line 6, insert:

**"SECTION 4. AMENDMENT.** Section 43-35-09 of the North Dakota Century Code is amended and reenacted as follows:

**43-35-09. Deposit of fees - Use and appropriation of funds.**

All fees received by the treasurer under this chapter must be deposited to the credit of the board in the Bank of North Dakota and disbursed only on order of the ~~president~~chairman and secretary-treasurer. Funds collected for certifying and inspections may be expended in such manner as the board deems necessary to best carry out the provisions of this chapter. All funds accruing to the credit of the state board of water well contractors are hereby permanently appropriated to the board for the purpose of this chapter."

Page 2, line 20, overstrike the second "drill" and insert immediately thereafter "install"

Page 2, line 22, remove "; any person that willfully violates an order of the board."

Page 2, line 26, after "assess" insert "the cost to repair any damage caused by the violation, any costs incurred by the board in the action, and"

Page 2, line 27, remove "under this chapter"

Page 2, line 28, replace "five thousand dollars for each day the violation occurred and continues to occur" with "ten thousand dollars"

Page 2, line 29, remove "by the executive officer on"

Page 2, line 30, remove "behalf of the board"

Page 3, line 1, remove "by the executive officer"

Page 3, line 2, after "pay" insert "or appeal"

Page 3, line 3, after the underscored comma insert "interest begins to accrue on the unpaid amount of the civil penalty at the rate of twelve percent per annum and"

Page 3, line 5, remove "Any civil penalty assessed under this section is in addition to any costs"

Page 3, replace line 6 with "The proceeds of any civil penalty or interest received by the board, after retention of any costs incurred by the board in the action, must be transferred to the state treasurer for deposit in the state general fund."

**SECTION 7. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2312**

Page 1, line 1, after "enact" insert "subsection 9 of section 39-29.2-03 and"

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

Page 1, line 1, remove ", 39-29.2-07, 39-29.2-08,"

Page 1, remove line 2

Page 1, line 3, remove "39-29.2-16, 39-29.2-17, 39-29.2-18, 39-29.2-19, and 39-29.2-20"

Page 1, line 5, after the third comma insert "subsection 1 of section 39-04-06,"

Page 1, line 6, after the second comma insert "subsection 7 of section 39-29.2-03,"

Page 2, after line 25, insert:

**"SECTION 4. AMENDMENT.** Subsection 1 of section 39-04-36 of the North Dakota Century Code is amended and reenacted as follows:

1. Whenever the ownership of a vehicle registered under the provisions of this chapter ~~or, chapter 39-18, or chapter 39-29.2~~ is transferred or assigned, the registration of the vehicle expires and the transferor shall remove the number plates."

Page 3, after line 12, insert:

**"SECTION 7. AMENDMENT.** Subsection 7 of section 39-29.2-03 of the North Dakota Century Code is amended and reenacted as follows:

7. The department shall issue a plate in the same manner as a plate is issued to a motorcycle. Whenever the ownership of an unconventional vehicle registered under this chapter is transferred or assigned, the plates must be handled in accordance with subsection 1 of section 39-04-36.

**SECTION 8.** Subsection 9 to section 39-29.2-03 of the North Dakota Century Code is created and enacted as follows:

9. Every unconventional vehicle is subject to the motor vehicle body damage disclosure requirement of section 39-05-17.2."

Page 3, remove lines 22 through 31

Page 4, line 1, remove "3."

Page 4, line 7, remove "performance."

Page 4, line 8, remove "United States environmental protection agency equipment requirements, and the"

Page 4, line 9, replace "of" with "adopted under"

Page 4, line 9, after the underscored period insert "An individual who manufactures an unconventional vehicle for personal use does not have to meet the certification requirements of this section, but shall comply with the rules adopted under this chapter."

Page 4, remove lines 12 through 30

Page 5, remove lines 1 through 31

Page 6, remove lines 1 and 31

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 31

Page 9, remove lines 1 and 31

Page 10, remove lines 1 through 25

Renumber accordingly

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

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2279.

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2045, SB 2218, SB 2253.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2085, SB 2105, SB 2231, SB 2277, SB 2299, SB 2343, and SCR 4006.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2050, SB 2066, SB 2072, SB 2113, SB 2161, SB 2259, SB 2334, SB 2367, and SCR 4010, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2050:** Sens. J. Lee; Dever; Axness

**SB 2066:** Sens. Anderson; Dever; Axness

**SB 2072:** Sens. Casper; Luick; Nelson

**SB 2113:** Sens. Bekkedahl; Oehlke; Triplett

**SB 2161:** Sens. Hogue; Armstrong; Grabinger

**SB 2259:** Sens. Anderson; J. Lee; Warner

**SB 2334:** Sens. Anderson; J. Lee; Warner

**SB 2367:** Sens. Larsen; Dever; Warner

**SCR 4010:** Sens. Hogue; Armstrong; Grabinger

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

**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2035:** Reps. Headland; Owens; Hawken

**SB 2175:** Reps. Klein; Kading; Strinden

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

**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2092:** Reps. D. Johnson; Looysen; Hunsakor

**SB 2120:** Reps. Froseth; Lefor; Hunsakor

**SB 2143:** Reps. Dockter; Trottier; Mitskog

**SB 2326:** Reps. Schreiber Beck; Zubke; Mock

**SB 2356:** Reps. Brabandt; Nathe; Muscha

**SCR 4011:** Reps. Looysen; Meier; Nathe

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

**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2188:** Reps. Laning; Sukut; M. Nelson

**SB 2233:** Reps. Beadle; Louser; Bosch

**SB 2347:** Reps. Lefor; Kasper; Amerman



**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has appointed as a conference committee to act with a like committee from the House on:

**HB 1056:** Sens. Unruh; Cook; Triplett

**HB 1206:** Sens. Rust; Campbell; Axness

**HB 1283:** Sens. Flakoll; Schaible; Marcellais

**HB 1469:** Sens. Casper; Rust; Sinner

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has appointed as a conference committee to act with a like committee from the House on:

**HB 1256:** Sens. Dever; Larsen; Warner

**HB 1396:** Sens. Larsen; Anderson; Axness

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2037, SB 2065, SB 2104, SB 2119, SB 2121, SB 2123, SB 2171, SB 2181, SB 2238, SB 2255, SB 2266, SB 2283, SB 2300, SB 2352, SCR 4016.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2154, SB 2182, SB 2276.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1041, HB 1186, HB 1194, HB 1238, HB 1352, HB 1370, HB 1394, HB 1395, HCR 3018, HCR 3020, HCR 3026, HCR 3040, HCR 3046.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The President has signed: SB 2077, SB 2086.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The President has signed: HB 1060, HB 1082, HB 1083, HB 1107, HB 1302, HB 1311, HB 1378, HB 1407, HB 1428, HB 1445, HCR 3003, HCR 3005, HCR 3006.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1138, HB 1338, HB 1347, HB 1373.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3009, HCR 3015, HCR 3032, HCR 3034, HCR 3045.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 2, 2015: SB 2077, SB 2086.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on March 30, 2015, I have signed the following: SB 2261 and SB 2329.

**MOTION**

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

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, April 6, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1016, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends

**DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1016 was placed on the Sixth order on the calendar.

Page 1, replace line 12 with:

"Salaries and wages	\$36,224,278	\$3,435,960	\$39,660,238"
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Page 1, replace lines 20 through 22 with:

"Total all funds	\$79,211,267	(\$6,627,210)	\$72,584,057
Less estimated income	<u>77,301,032</u>	<u>(6,833,166)</u>	<u>70,467,866</u>
Total general fund	\$1,910,235	\$205,956	\$2,116,191"

Page 2, replace lines 8 through 9 with:

"Virtual OneStop application	<u>0</u>	<u>9,500</u>
Total all funds	\$616,496	\$89,500"

Page 2, replace line 11 with:

"Total general fund	\$120,000	\$89,500"
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ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1016 - Job Service North Dakota - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$36,224,278	\$39,829,646	(\$169,408)	\$39,660,238
Operating expenses	18,687,700	13,512,657		13,512,657
Capital assets	20,000	20,000		20,000
Grants	8,850,497	5,404,326		5,404,326
Workforce 20/20	1,541,924	1,579,836		1,579,836
Reed Act - Computer modernization	12,407,000	12,407,000		12,407,000
Accrued leave payments	<u>1,479,868</u>			
Total all funds	\$79,211,267	\$72,753,465	(\$169,408)	\$72,584,057
Less estimated income	<u>77,301,032</u>	<u>70,636,352</u>	<u>(168,486)</u>	<u>70,467,866</u>
General fund	\$1,910,235	\$2,117,113	(\$922)	\$2,116,191
FTE	250.76	237.76	0.00	237.76

#### Department No. 380 - Job Service North Dakota - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Total Senate Changes
Salaries and wages	(\$169,408)	(\$169,408)
Operating expenses		
Capital assets		
Grants		
Workforce 20/20		
Reed Act - Computer modernization		
Accrued leave payments		
Total all funds	(\$169,408)	(\$169,408)
Less estimated income	<u>(168,486)</u>	<u>(168,486)</u>
General fund	(\$922)	(\$922)
FTE	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

This amendment also transfers \$100,000 from the general fund for the Virtual OneStop application system from one-time funding to ongoing funding.

**REPORT OF STANDING COMMITTEE**

**HB 1068, as engrossed: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1068 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subsection to section 38-08-26 of the North Dakota Century Code, relating to access to pipeline information by the Three Affiliated Tribes; and to"

Page 1, after line 15, insert:

**"SECTION 2.** A new subsection to section 38-08-26 of the North Dakota Century Code is created and enacted as follows:

Upon the request of the tribal government of the Three Affiliated Tribes, the commission shall allow access by the tribal government to the information contained in the geographic information system database for pipelines located within the exterior boundary of the Fort Berthold Reservation."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1072, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1072 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the semicolon with "and"

Page 1, line 19, remove the underscored colon

Page 1, line 20, replace "a.    The" with "the"

Page 1, line 24, replace "; or" with an underscored period

Page 2, remove lines 1 through 3

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1080, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1080 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1112, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1112 was placed on the Sixth order on the calendar.

Page 1, line 3, after "recovery" insert "; and to provide for an expiration date"

Page 3, after line 2, insert:

**"SECTION 4. EXPIRATION DATE.** This Act is effective through June 30, 2017, and after that date is ineffective."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1181, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1181 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1221: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1221 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1244, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1244 was placed on the Sixth order on the calendar.

Page 1, line 2, after "for" insert "birth or"

Page 1, line 6, after "for" insert "birth or"

Page 1, line 7, after "following" insert "birth or"

Page 1, line 8, after "for" insert "the employee's newborn child or to care for"

Page 1, line 12, replace "The" with "In the case of an adoption or a placement as a precondition to adoption, the"

Page 1, line 15, after "following" insert "birth or"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1255: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1255 was placed on the Sixth order on the calendar.

Page 1, line 1, after "chapter" insert "23-27, a new section to chapter"

Page 1, line 1, after "26.1-36" insert a comma

Page 1, line 2, after "to" insert "air ambulance services and"

Page 1, after line 6, insert:

**"SECTION 1.** A new section to chapter 23-27 of the North Dakota Century Code is created and enacted as follows:

**Air ambulance services.**

1. The department shall create and maintain a primary call list and a secondary call list of air ambulance service providers operating in this state.
2. To qualify to be listed on the primary call list, an air ambulance service provider shall submit to the department attested documentation indicating the air ambulance service provider is a participating provider of the health insurance carriers in the state which collectively hold at least seventy-five percent of the health insurance coverage in the state as determined by annual market share reports.
3. The department shall provide the primary call list and the secondary call list for air ambulance service providers operating in this state to all emergency medical services personnel, each hospital licensed under

- chapter 23-16, each 911 coordinator in this state, and each public safety answering point operating in this state.
4. The department shall establish air ambulance service response zones for rotary wing aircraft which are based on response times and patient health and safety.
- a. Upon receipt of a request for air ambulance services, emergency medical services personnel, a hospital licensed under chapter 23-16, or a public safety answering point operating in this state, shall make a reasonable effort to inform the requesting party of the estimated response time for the requested air transport versus the ground transport for that designated response zone. If at any point during the request for air ambulance services the requester withdraws the request, the receiving party is not required to complete that call for air ambulance services.
- b. If emergency medical services personnel, a hospital licensed under chapter 23-16, or a public safety answering point operating in this state receives a request from emergency medical services personnel for air ambulance services, the recipient of the request shall comply with the call priority under this subdivision in responding to the request.
- (1) First, the recipient of the request shall call an air ambulance service provider listed on the primary call list which is within the designated response zone.
- (2) Second, if each of the air ambulance service providers listed on the primary list is not available or is not able and willing to respond to the call, the recipient of the request shall notify the requester of this fact and shall call an air ambulance provider listed on the secondary call list within the designated response zone.
- (3) Third, if each of the air ambulance service providers listed on the secondary list is not available or is not able and willing to respond to the call, the recipient of the request shall notify the requester of this fact and shall inform the requester of primary and secondary air ambulance service provider options outside the designated response zone.
5. Upon request of the department, a potential patient, or a potential patient's legal guardian, an air ambulance service provider shall provide that provider's fee schedule, including the base rate, per loaded mile rate, and any usual and customary charges.
- a. The department shall compile and distribute this fee information to each hospital licensed under chapter 23-16, each hospital emergency department in the state, each physician the department determines is likely to generate an air ambulance transport, each emergency medical services operation, each emergency medical services professional, emergency medical services personnel, each public safety answering point in this state, and each 911 coordinator in this state.
- b. Before a hospital refers a patient to an air ambulance service provider, the hospital shall make a reasonable effort to inform the patient or the patient's legal guardian of the fees for the air ambulance service providers licensed under this chapter, for the purpose of allowing the patient or legal guardian to make an informed decision on choosing an air ambulance service provider. A hospital is exempt from complying with this subdivision if the hospital determines compliance might jeopardize the health or safety of the patient.

6. The state health council shall adopt rules establishing air ambulance service provider requirements that must address transport plans, including auto launch protocol and auto launch cancellation protocol; transporting to the nearest appropriate medical facility; medical necessity; and informed consent. As necessary, the state health council shall adopt rules relating to quality of care standards and other appropriate requirements regarding air ambulance service providers.

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1333: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1333 was placed on the Sixth order on the calendar.

Page 2, line 19, remove "If the identification provided does not verify that"

Page 2, remove lines 20 through 24

Page 2, line 25, remove "and which is from a date thirty or more days before the election."

Page 2, line 27, remove "or expired"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1340, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1340 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for a legislative management study;"

Page 1, line 12, after "with" insert "funds"

Page 1, remove lines 21 through 24

Page 2, remove lines 1 and 2

Page 2, after line 11, insert:

**"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - STATUTORY PROVISIONS OF INDEBTEDNESS FOR POLITICAL SUBDIVISIONS.** During the 2015-16 interim, the legislative management shall consider studying all statutory provisions on indebtedness that may be incurred by political subdivisions, whether or not subject to debt limitations. The study must also include collection of any available information on the kinds and amounts of current indebtedness of political subdivisions and determination of whether that information is available or accessible to the public. The legislative management shall report its findings and recommendations, together with any information necessary to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1366, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1366 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 provide for collaboration between the school for the deaf and school districts on the provision of appropriate services and resources to children who are deaf or hearing impaired and the families of children who are deaf or hearing impaired."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:****SECTION 1. COLLABORATION BETWEEN SCHOOL FOR THE DEAF AND SCHOOL DISTRICTS TO PROVIDE SERVICES AND RESOURCES TO CHILDREN WHO ARE DEAF OR HEARING IMPAIRED.**

1. The school for the deaf shall collaborate with school districts to ensure that children who are deaf or hearing impaired and families of children who are deaf or hearing impaired receive appropriate services and have access to appropriate resources including:
  - a. Screening and assessment of hearing capabilities and communication and language needs at the earliest possible age, and continuation of screening services throughout the child's educational experience;
  - b. Early intervention to provide for acquisition of solid language bases at the earliest age possible;
  - c. The opportunity to interact in person or through technological mediums with adult role models and peers who are deaf or hearing impaired;
  - d. Qualified teachers, interpreters, and resource personnel, who communicate effectively with the child in the child's mode of communication; and
  - e. Placement best suited to the child's needs such as social, emotional, cultural, age-related, hearing loss, academic level, mode of communication, style of learning, motivational level, and family support needs.
2. The school for the deaf shall:
  - a. Make information available to parents of children who are deaf or hearing impaired; and
  - b. Provide awareness information to the public concerning medical, cultural, and linguistic issues of deafness and hearing loss."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1367, as engrossed: Judiciary Committee (Sen. Hogue, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1367 was placed on the Sixth order on the calendar.

Page 1, line 1, after "12.1-32-06.1" insert ", subsections 1 and 3 of section 12.1-32-07, and section 29-01-20"

Page 1, line 2, after "probation" insert ", supervision of probation, and conditions of probation and to address peace officer custody of stolen goods; and to provide a penalty"

Page 1, line 15, after "section" insert an underscored comma

Page 1, line 17, remove "class C"

Page 1, line 17, remove the underscored comma

Page 1, line 18, replace "ten" with "offense subject to section 12.1-32-09.1, a felony offense subject to section 12.1-32-02.1 which involves the use of a firearm or dangerous weapon, a second or subsequent violation of section 12.1-17-07.1, a second or subsequent violation of any domestic violence protection order, a violation of chapter 12.1-40, or a violation of section 14-09-22; three"

Page 1, line 18, replace "all" with "any"

Page 1, line 18, replace "offenses, and" with "offense:"

Page 1, line 18, after "misdemeanor" insert "; and three hundred sixty days for a class B misdemeanor offense"

Page 3, after line 6, insert:

**"SECTION 2. AMENDMENT.** Subsection 1 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~When~~Whenever the court imposes probation upon conviction for a felony offense subject to section 12.1-32-09.1 or 12.1-32-02.1, a second or subsequent violation of section 12.1-17-07.1, a second or subsequent violation of any domestic violence protection order, a violation of 12.1-40, a violation of 14-09-22, or a felony offense under chapter 39-08, the court shall place the defendant under the supervision and management of the department of corrections and rehabilitation. Whenever the court imposes probation upon conviction or order of disposition in all other felony cases, the court may place the defendant under the supervision and management of the department of corrections and rehabilitation. In class A misdemeanor cases, the court may place the defendant under the supervision and management of the department of corrections and rehabilitation or other responsible party. In all other cases, the court may place the defendant under the supervision and management of a community corrections program other than the department of corrections and rehabilitation. ~~If an appropriate community corrections program is not reasonably available, the court may place the defendant under the supervision and management of the department of corrections and rehabilitation. The department of corrections and rehabilitation may arrange for the supervision and management of the defendant by a community corrections program selected by the department of corrections and rehabilitation.~~ A community corrections program means a program for the supervision of a defendant, including monitoring and enforcement of terms and conditions of probation set by the court ~~or pursuant to a conditional release from the physical custody of a correctional facility or the department of corrections and rehabilitation.~~

**SECTION 3. AMENDMENT.** Subsection 3 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

3. The court shall provide as an explicit condition of every probation that the defendant may not possess a firearm, destructive device, or other dangerous weapon while the defendant is on probation. Except when the offense is a misdemeanor offense under section 12.1-17-01, 12.1-17-01.1, 12.1-17-05, or 12.1-17-07.1, or chapter 14-07.1, the court may waive this condition of probation if the defendant has pled guilty to, or has been found guilty of, a misdemeanor or infraction offense, the misdemeanor or infraction is the defendant's first offense, and the court has made a specific finding on the record before imposition of a sentence or a probation that there is good cause to waive the condition. The court may not waive this condition of probation if the court places the defendant under the supervision and management of the department of corrections and rehabilitation. The court shall provide as an explicit condition of probation that the defendant may not willfully defraud a urine test administered as a condition of probation. Unless waived on the record by the court, the court shall also provide as a condition of probation that the defendant undergo various agreed-to community constraints and conditions as intermediate measures of the department of corrections and rehabilitation to avoid revocation, which may include:
  - a. Community service;
  - b. Day reporting;



- c. Curfew;
- d. Home confinement;
- e. House arrest;
- f. Electronic monitoring;
- g. Residential halfway house;
- h. Intensive supervision program; or
- i. Up to five non-successive periods of incarceration during any twelve-month period, each of which may not exceed forty-eight consecutive hours; or
- j. Participation in the twenty-four seven sobriety program.

**SECTION 4. AMENDMENT.** Section 29-01-20 of the North Dakota Century Code is amended and reenacted as follows:

**29-01-20. Stolen property to be held by peace officer.**

~~When~~Except for consumer goods, as defined under section 41-09-02, whenever property alleged to have been stolen or embezzled comes into the custody of a peace officer, the peace officer shall hold it subject to the order of the magistrate authorized by section 29-01-21 to direct the disposal thereof."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1379: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1379 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1450, as engrossed: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1450 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsections 1 and" with "subsection"

Page 1, line 1, remove ", sections"

Page 1, line 2, replace "62.1-02-04 and 62.1-02-05," with "and"

Page 1, line 2, remove the second comma

Page 1, line 3, remove "section 62.1-03-01, and subsection 2 of section 62.1-04-03"

Page 1, remove lines 6 through 21

Page 2, remove lines 5 through 29

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 15

Page 4, line 19, remove the overstrike over "property"

Page 4, remove lines 20 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 25

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1457, as engrossed: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1457 was placed on the Sixth order on the calendar.

Page 1, line 2, after "firearms" insert "; and to provide for application"

Page 3, line 8, after "5." insert "a."

Page 3, line 19, replace the first "the" with ":

(1) The"

Page 3, line 19, after "crime" insert ", in an accidental shooting, or a self-inflicted shooting"

Page 3, line 19, replace ", there" with ":

(2) There"

Page 3, line 20, replace the underscored comma with an underscored semicolon

Page 3, line 20, replace the second "a" with:

(3) A"

Page 3, after line 21, insert:

"b."

Page 3, line 22, replace "section" with "subsection"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3010, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3010 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3024, as engrossed: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3024 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3028: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3028 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3039: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3039 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3055: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3055 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3056: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3056 was placed on the Fourteenth order on the calendar.

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

**Jane Schaible, Secretary**

