

## JOURNAL OF THE SENATE

## Sixty-fifth Legislative Assembly

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Bismarck, March 23, 2017

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

The prayer was offered by Pastor Keith Ritchie, Cornerstone Community Church, Bismarck.

The roll was called and all members were present except Senator Campbell.

A quorum was declared by the President.

## MOTION

**SEN. KLEIN MOVED** that the Senate resolve itself into a Confirmation Session, which motion prevailed.

## REPORT OF SELECT COMMITTEE

**MR. PRESIDENT:** Your **Select Committee (Sen. D. Larson, Chairman)** appointed to consider the nomination to the Office of Administrative Hearings, do advise and consent to the appointment of Timothy Dawson.

## MOTION

**SEN. D. LARSON MOVED** that the report be adopted.

## ROLL CALL

The question being, "will the Senate advise and consent to the appointment of Timothy Dawson to the Office of Administrative Hearings," the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Campbell

The Senate advises and consents to the appointment of Timothy Dawson to the Office of Administrative Hearings.

## MOTION

**SEN. KLEIN MOVED** that the Confirmation Session be dissolved, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**HB 1040, as reengrossed: SEN. HECKAMAN (Human Services Committee) MOVED** that the amendments on SJ pages 852-854 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Reengrossed HB 1040 was rereferred to the **Appropriations Committee**.

## CONSIDERATION OF AMENDMENTS

**HB 1247, as engrossed: SEN. POOLMAN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 854 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**HB 1037: SEN. SCHAIBLE (Education Committee) MOVED** that the amendments on SJ pages 851-852 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1435, as engrossed: SEN. DAVISON (Education Committee) MOVED** that the amendments on SJ pages 854-855 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1183:** A BILL for an Act to amend and reenact section 12.1-20-12.1, subsection 2 of section 12.1-20-12.2, and subsection 4 of section 12.1-27.2-01 of the North Dakota Century Code, relating to indecent exposure toward minors, surreptitious intrusion, and sexual performances by children; 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; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Campbell

Engrossed HB 1183, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1415:** A BILL for an Act to amend and reenact subsection 12 of section 53-06.1-01, subsections 1 and 4 of section 53-06.1-01.1, subsections 2 and 3 of section 53-06.1-03, subsections 1 and 3 of section 53-06.1-06, subsection 1 of section 53-06.1-10.2, subsection 1 of section 53-06.1-11, subsection 3 of section 53-06.1-14, and subsection 8 of section 53-06.1-15.1 of the North Dakota Century Code, relating to games of chance.

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

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Lee, G.; Lee, J.; Luick; Marcellais; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Larson, D.; Mathern

**ABSENT AND NOT VOTING:** Campbell

HB 1415, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1395:** A BILL for an Act to amend and reenact subsections 1 and 7 of section 62.1-01-01, subsection 1 of section 62.1-02-04, subdivision m of subsection 2 of section 62.1-02-05, and section 62.1-04-04 of the North Dakota Century Code, relating to dangerous weapons and retired law enforcement officers; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Campbell

Engrossed HB 1395, as amended, passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1235:** A BILL for an Act to create and enact subsections 4, 5, and 6 to section 54-61-02 of the North Dakota Century Code, relating to access to confidential records by the commission on legal counsel for indigents.

**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; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Mathern

**ABSENT AND NOT VOTING:** Campbell

Engrossed HB 1235, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1222:** A BILL for an Act to create and enact section 12.1-31-01.2 of the North Dakota Century Code, relating to the process for seeking a sexual assault restraining order; 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; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Campbell

Engrossed HB 1222, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1236:** A BILL for an Act to amend and reenact section 29-04-03.1 of the North Dakota Century Code, relating to prosecution for 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Campbell

Engrossed HB 1236, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1365:** A BILL for an Act to create and enact a new section to chapter 25-03.1, a new subsection to section 30.1-28-04, and a new subsection to section 30.1-28-12 of the North Dakota Century Code, relating to powers, duties, and authority of a guardian regarding medical decisions; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Campbell

Engrossed HB 1365, as amended, passed and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1423:** A BILL for an Act to provide for a legislative management study of the elementary and secondary education funding formula.

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

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Davison; Larsen, O.

**ABSENT AND NOT VOTING:** Campbell

HB 1423 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1056:** A BILL for an Act to amend and reenact section 57-02-08.8 of the North Dakota Century Code, relating to application of the property tax credit for disabled veterans to properties placed in trust for a surviving spouse; 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 14 YEAS, 32 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Burckhard; Dever; Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Meyer; Nelson; Oban; Piepkorn; Robinson; Schaible; Vedaa

**NAYS:** Anderson; Armstrong; Bekkedahl; Bowman; Casper; Clemens; Cook; Davison; Erbele; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Myrdal; Oehlke; Osland; Poolman; Roers; Rust; Sorvaag; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Campbell

Engrossed HB 1056 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1204:** A BILL for an Act to amend and reenact section 20.1-03-01.5, subdivision a of subsection 1 of section 20.1-03-11, and section 20.1-04-05 of the North Dakota Century Code, relating to youth hunting and the protection of bald eagles.

**MOTION**

**SEN. ARMSTRONG MOVED** that Engrossed HB 1204, as amended, be amended as follows, which motion prevailed on a voice vote.

In addition to the amendments adopted by the Senate as printed on page 799 of the Senate Journal, Engrossed House Bill No. 1204 is further amended as follows:

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

Page 1, line 2, remove ", and section 20.1-04-05"

Page 1, line 3, after "hunting" insert a semicolon

Page 1, line 3, after "and" insert "to repeal section 20.1-04-05 of the North Dakota Century Code, relating to"

Page 1, remove lines 23 and 24

Page 2, replace lines 1 through 4 with:

**"SECTION 3. REPEAL.** Section 20.1-04-05 of the North Dakota Century Code is repealed."

Renumber accordingly

**HB 1204:** A BILL for an Act to amend and reenact section 20.1-03-01.5 and subdivision a of subsection 1 of section 20.1-03-11 of the North Dakota Century Code, relating to youth hunting; and to repeal section 20.1-04-05 of the North Dakota Century Code, relating to the protection of bald eagles.

**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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Engrossed HB 1204, as amended, passed.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. ARMSTRONG MOVED** that the Senate do concur in the House amendments to Engrossed SB 2176 as printed on SJ pages 809-810, which motion prevailed on a voice vote.

Engrossed SB 2176, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2176:** A BILL for an Act to amend and reenact subdivision e of subsection 1 of section 39-08-01, subsection 7 of section 39-08-01, subsection 3 of section 39-08-01.2, subdivision a of subsection 3 of section 39-20-01, sections 39-20-03.1 and 39-20-03.2, subsection 2 of section 39-20-05, and subsection 3 of section 39-20-14 of the North Dakota Century Code, relating to driving under the influence; to repeal section 39-20-03 of the North Dakota Century Code, relating to driving under the influence; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Reengrossed SB 2176, as amended, passed.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. COOK MOVED** that the Senate do concur in the House amendments to Engrossed SB 2288 as printed on SJ pages 830-831, which motion prevailed on a voice vote.

Engrossed SB 2288, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2288:** A BILL for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a consolidated taxpayer notice containing estimated property tax levies and budget hearing information; to amend and reenact sections 11-23-04, 40-40-04, 40-40-06, 40-40-08, and 40-51.2-06, subdivision c of subsection 1 of section 40-51.2-07, sections 40-51.2-16, 57-02-53, 57-05-01, 57-05-01.1, 57-05-06, 57-05-07, 57-05-08, 57-06-06, 57-06-09, 57-06-11, 57-06-12, 57-06-15, 57-06-21, 57-13-02, and 57-15-13 of the North Dakota Century Code, relating to assessment increase notices and property tax levy public hearings, the dates for general taxation of land by a city, notices of dates of assessments and

reports for centrally assessed property, the annual meeting of the state board of equalization, and dates for school district tax levies; to repeal sections 11-23-03 and 57-15-02.1 of the North Dakota Century Code, relating to notice of levy increases and public hearings; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Reengrossed SB 2288, as amended, passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. ARMSTRONG MOVED** that the Senate do concur in the House amendments to SB 2290 as printed on SJ page 811, which motion prevailed on a voice vote.

SB 2290, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2290:** A BILL for an Act to amend and reenact section 54-12-33 of the North Dakota Century Code, relating to the authority of the human trafficking commission.

#### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Engrossed SB 2290, as amended, passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. ARMSTRONG MOVED** that the Senate do concur in the House amendments to Engrossed SB 2098 as printed on SJ pages 808-809, which motion prevailed on a voice vote.

Engrossed SB 2098, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2098:** A BILL for an Act to create and enact a new subsection to section 27-20-51 of the North Dakota Century Code, relating to the disclosure of juvenile court records.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue;

Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Reengrossed SB 2098, as amended, passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. ARMSTRONG MOVED** that the Senate do concur in the House amendments to Engrossed SB 2117 as printed on SJ page 772, which motion prevailed on a voice vote.

Engrossed SB 2117, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2117:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to criminal history record checks for medicaid services applicants, providers, and staff members; to amend and reenact section 50-06-01.9 of the North Dakota Century Code, relating to criminal history record checks for job applicants, department staff, county employees, contractors, and medicaid services applicants, providers, and staff members; to provide an effective date; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Hogue

Reengrossed SB 2117, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. LUICK MOVED** that the Senate do concur in the House amendments to Engrossed SB 2269 as printed on SJ page 783, which motion prevailed on a voice vote.

Engrossed SB 2269, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2269:** A BILL for an Act to create and enact section 61-39-04.1 of the North Dakota Century Code, relating to authorization of a state Red River valley water supply project; and to amend and reenact sections 61-24-27, 61-24.7-05, 61-39-01, 61-39-02, 61-39-03, 61-39-04, 61-39-05, 61-39-11, and 61-39-16 of the North Dakota Century Code, relating to the powers of the Lake Agassiz water authority and funding for the Red River valley water supply project.

#### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.;



Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Reengrossed SB 2269, as amended, 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 Engrossed SB 2115 as printed on SJ page 743, which motion prevailed on a voice vote.

Engrossed SB 2115, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2115:** A BILL for an Act to amend and reenact subsection 1 of section 50-06-32 of the North Dakota Century Code, relating to the members of the autism spectrum disorder task force.

#### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Reengrossed SB 2115, as amended, passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. ARMSTRONG MOVED** that the Senate do concur in the House amendments to Engrossed SB 2125 as printed on SJ page 796, which motion prevailed on a voice vote.

Engrossed SB 2125, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2125:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm or dangerous weapon; to provide a penalty; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Reengrossed SB 2125, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. ARMSTRONG MOVED** that the Senate do concur in the House amendments to

Engrossed SB 2249 as printed on SJ page 758, which motion prevailed on a voice vote.

Engrossed SB 2249, as amended, was placed on the Eleventh order of business.

### SECOND READING OF SENATE BILL

**SB 2249:** A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to prohibiting participation in extracurricular activities by students who have committed a criminal offense.

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

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Mathern

Reengrossed SB 2249, as amended, passed.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1273, HB 1322.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1144, HB 1288, HB 1387, HB 1398, HCR 3011, HCR 3027.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1190.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2199, SB 2325, SB 2326.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2183, SB 2262.

### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2183

In lieu of the amendments adopted by the House as printed on page 933 of the House Journal, Engrossed Senate Bill No. 2183 is amended as follows:

Page 1, line 2, remove "; to"

Page 1, line 3, remove "provide an appropriation to the department of veterans' affairs"

Page 1, line 10, after "deceased" insert "North Dakota"

Page 2, line 1, after "deceased" insert "North Dakota"

Page 2, after line 4, insert:

"4. Pursuant to section 37-18-12, the department may expend any gifts, grants, or donations received for the creation and conferment of commemorative memorial coins."

Page 2, remove lines 5 through 11

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment removes the appropriation to the Department of Veterans' Affairs for veterans' commemorative memorial coins and clarifies that the department has authority under North Dakota Century Code Section 37-18-12 to expend any gifts, grants, or donations for the creation and conferment of memorial coins.

**HOUSE AMENDMENTS TO SENATE BILL NO. 2262**

In addition to the amendments adopted by the House as printed on pages 933 and 934 of the House Journal, Senate Bill No. 2262 is further amended as follows:

Page 1, line 9, after the underscored period insert "This section does not pre-empt or otherwise limit the authority of a city, county, or township to adopt and enforce fire codes or hazardous waste disposal restrictions."

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2262.

**HOUSE AMENDMENTS TO SENATE BILL NO. 2262**

Page 1, line 7, remove the fourth underscored comma

Page 1, line 8, remove "or enforce existing."

Page 1, line 9, after the fourth underscored comma insert "or"

Page 1, line 9, remove ". inspection, transportation, or disposal"

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 2123.

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

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2098, SB 2115, SB 2117, SB 2125, SB 2176, SB 2249, SB 2269, SB 2288, and SB 2290.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** Your signature is respectfully requested on: SB 2147.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1029, HB 1030, HB 1055, HB 1057, HB 1169, HB 1336.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2147.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2147, SMR 8001.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1029, HB 1030, HB 1055, HB 1057, HB 1336.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1169.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1029, HB 1030, HB 1055, HB 1057, HB 1336.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1153, HB 1237, HB 1253, HB 1292, HB 1305.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1169.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1257, HB 1311, HB 1430, HCR 3009.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3026.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 23, 2017: SB 2146, SB 2236, SB 2242, SB 2296.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 22, 2017, I have signed the following: SB 2124, SB 2175, SB 2240, SB 2251, SB 2304, and SB 2333.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on March 23, 2017: SMR 8001.

**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 12:30 p.m., Friday, March 24, 2017, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1041, as reengrossed: Judiciary Committee (Sen. Armstrong, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1041 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "subsections" with "subsection"

Page 1, line 4, remove "and 6"

Page 1, line 7, remove "section 43-45-06,"

Page 1, line 11, remove "addiction counseling services,"

Page 1, line 14, remove "and"

Page 1, line 14, after "assembly" insert "; to provide an appropriation; to provide an effective date; and to declare an emergency"

Page 3, line 26, remove overstrike over "one"

Page 3, line 26, remove "two"

Page 3, line 26, remove "five hundred"

Page 6, remove lines 26 through 30

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 5

Page 8, after line 8 insert:

"1."

Page 8, line 11, remove "involving domestic violence; an offense"

Page 8, line 11, replace "section 12.1-17-07.1" with "chapters 12.1-06.2, 12.1-08, and 12.1-09, section 12.1-16-03"

Page 8, line 11, remove "chapter"

Page 8, line 12, replace "12.1-41, or sections" with "chapters 12.1-17, 12.1-18, and 12.1-22, section 12.1-23-02.1, chapter 12.1-25, an offense subject to registration under section 12.1-32-15, chapter 12.1-36, or section"

Page 8, line 12, replace "or 14-09-22" with ", including attempt, serving as an accomplice to an offense, or conspiracy to commit the offense"

Page 8, line 12, after the underscored semicolon insert "an attempt to commit"

Page 8, line 13, after "weapon" insert "or serving as an accomplice or in a conspiracy to commit an offense involving a firearm or dangerous weapon"

Page 8, line 13, remove "The sentencing court may"

Page 8, remove lines 14 and 15

Page 8, line 16, remove "aggravating factors on the record at the time of sentencing."

Page 8, after line 19, insert:

- "2. This section does not apply to an offense committed under subsection 1 of section 12.1-22-02.
3. This section does not apply if the sentencing court finds there are aggravating factors present to justify a departure from presumptive probation. The sentencing court shall state the aggravating factors on the record at the time of sentencing. Aggravating factors include:
  - a. That the individual has plead guilty to, or has been found guilty of, a felony offense or class A misdemeanor offense prior to the date of the commission of the offense or offenses charged in the complaint, information, or indictment;
  - b. The age and vulnerability of the victim, whether the individual was in a position of responsibility or trust over the victim, or whether the individual abused a public position of responsibility or trust; or
  - c. If the individual used threats or coercion in the commission of the offense."

Page 12, remove lines 16 through 26

Page 16, after line 29, insert:

**"SECTION 19. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES.**

There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$110,916, or so much of the sum as may be necessary, and \$1,532,785 from federal funds, or so much of the sum as may be necessary, to the department of human services for the purpose of implementing

sections 15 and 16 of this Act, for the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 20. EFFECTIVE DATE.** Sections 7 and 8 of this Act become effective January 1, 2018.

**SECTION 21. EMERGENCY.** Sections 1 through 6 and sections 9 through 16 of this Act are declared to be an emergency measure."

Renumber accordingly

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

**HB 1165, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1165 was placed on the Fourteenth order on the calendar.

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

**HB 1166, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1166 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections 57-51.1-02 and" with "section "

Page 1, line 1, after "57-51.1-03.1" insert "and subsection 3 of section 57-51.2-02"

Page 1, line 2, replace "the removal of triggered oil extraction tax rate changes" with "filing requirements for oil extraction tax exemptions and rate reductions and the oil extraction tax rate attributable to revenue sharing agreements with tribal governing bodies"

Page 1, remove lines 5 through 23

Page 2, remove lines 1 through 5

Page 3, after line 20, insert:

**"SECTION 2. AMENDMENT.** Subsection 3 of section 57-51.2-02 of the North Dakota Century Code is amended and reenacted as follows:

3. The state's oil extraction tax under chapter 57-51.1 ~~as applied~~ must apply to oil and gas production attributable to trust lands on the reservation and on trust properties outside reservation boundaries ~~may not exceed six and one-half percent but may be reduced through negotiation between the governor and the tribal governing body.~~

Renumber accordingly

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

**HB 1194: Judiciary Committee (Sen. Armstrong, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1194 was placed on the Sixth order on the calendar.

Page 1, line 3, after "12.1-34-01" insert a comma

Page 1, line 3, remove the second "and"

Page 1, line 3, after "12.1-34-02" insert ", and subsection 1 of section 12.1-34-06"

Page 2, after line 22, insert:

**"SECTION 3. AMENDMENT.** Subsection 1 of section 12.1-34-06 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~The information technology department may establish~~attorney general shall maintain a statewide automated victim information and notification system that must:
  - a. Permit a victim to register or update the victim's registration information for the system by calling a toll-free telephone number or accessing a public website.
  - b. Notify a registered victim by telephone, ~~mail~~text message, or electronic mail in accordance with this chapter.
  - c. Notify a registered victim by telephone, ~~mail~~text message, or electronic mail when the offender has a scheduled court proceeding, a parole review, or a change in the status of the offender's parole or probation status, including a change in the offender's address.
  - d. Notify a registered victim by telephone, ~~mail~~text message, or electronic mail when a protective order requested by the victim has been served upon the respondent.
  - e. Permit a victim to receive a status report for an offender under the supervision or in the custody of the department of corrections and rehabilitation or other correctional facility by calling the system on a toll-free telephone number or by accessing the system through a public website."

Page 2, line 27, replace "26" with "25"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1246: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1246 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1254: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1254 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1279, as engrossed: Judiciary Committee (Sen. Armstrong, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1279 was placed on the Sixth order on the calendar.

Page 1, remove lines 7 through 9

Page 1, line 10, replace "weapon in a residential dwelling that is a government building" with "An individual's storage of a firearm or dangerous weapon in a building that is owned or managed by the state or a political subdivision, provided:

- (1) The individual resides in the building;
- (2) The storage is inside the individual's assigned residential unit;  
and
- (3) The storage has been consented to by the state, the governing board, or a designee"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1324, as reengrossed: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends

**DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1324 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-09.1 of the North Dakota Century Code, relating to audits of regional education associations; to"

Page 1, line 1, after "sections" insert "15.1-01-03, 15.1-09.1-10,"

Page 1, line 2, after "the" insert "powers and duties of the state board of public school education and the"

Page 1, line 2, after "districts" insert "and regional education associations; to provide statements of legislative intent; to provide for a legislative management study; and to provide an appropriation;"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Section 15.1-01-03 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-01-03. State board of public school education - Powers and duties.**

1. The state board of public school education shall:
  - a. Assist county committees in carrying out their duties.
  - b. Provide county committees with clerical assistance, plans of procedure, standards, data, maps, forms, and other materials, information, and services.
  - c. Appoint members to the county committee, if the county superintendent does not fulfill this duty, as provided for in section 15.1-10-01.
2. The state board of public school education shall provide oversight for regional education associations as required by chapter 15.1-09.1.
3. The state board of public school education may adopt rules regarding school-district reorganizations, annexations, and dissolutions in accordance with chapter 28-32.

**SECTION 2.** A new section to chapter 15.1-09.1 of the North Dakota Century Code is created and enacted as follows:

**Regional education association - Audit.**

To be eligible for state funding, a regional education association must be audited, at least annually, by a certified public accountant or a licensed public accountant. The audit must be presented to the state board of public school education. If any irregularities are noted, the state board of public school education may direct the superintendent of public instruction to withhold all payments to a regional education association until the board determines the irregularities have been addressed.

**SECTION 3. AMENDMENT.** Section 15.1-09.1-10 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-09.1-10. State aid - Payable to a regional education association - Obligation of district.**

1. The superintendent of public instruction shall forward the portion of a school district's state aid which is payable by the superintendent under subdivision I of subsection 1 of section 15.1-27-03.1 as a result of the district's participation in a regional education association directly to the



association in which the district participates. The superintendent shall forward the amount payable under this subsection at the same time and in the same manner as provided for other state aid payments under section 15.1-27-01, unless otherwise directed in accordance with section 2 of this Act.

2. If the superintendent of public instruction determines that a school district failed to meet any contractual or statutory obligation imposed upon it as a result of the district's participation in a regional education association, the superintendent shall notify the state board of public school education and shall subtract the amount for which the district was not eligible from any future distribution of state aid to the district under section 15.1-27-01."

Page 7, remove the overstrike over line 29

Page 7, line 30, remove the overstrike over "percent of all revenues listed in paragraphs 6, 8, and 9 of"

Page 8, after line 3, insert:

**"SECTION 6. LEGISLATIVE MANAGEMENT STUDY - SERVICES PROVIDED TO SCHOOLS.** During the 2017-18 interim, the legislative management shall consider studying entities that deliver kindergarten through grade twelve professional development services, distance curriculum, support for schools in achieving school improvement goals, assistance with analysis and interpretation of student achievement data, and technology support services. The study must focus on the funding, governance, nature, scope, and quality of services provided to schools. The study also must focus on the duplication of services across entities and the accountability for expenditures. The study must identify efficiencies and the desirability and feasibility of consolidating services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

**SECTION 7. APPROPRIATION - SUPERINTENDENT OF PUBLIC INSTRUCTION - REGIONAL EDUCATION ASSOCIATION MERGER.** There is appropriated out of any moneys in the foundation aid stabilization fund in the state treasury, not otherwise appropriated, the sum of \$160,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing up to \$40,000 for each regional education association that merges with another regional education association to form a single entity with a single governing board, for the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 8. LEGISLATIVE INTENT - REGIONAL EDUCATION ASSOCIATIONS.** It is the intent of the sixty-fifth legislative assembly that, during the 2017-19 biennium, regional education associations merge with other regional education associations to form four regional education associations each representing a quadrant in the northeast, southeast, southwest, and northwest portions of the state.

**SECTION 9. LEGISLATIVE INTENT - TRANSPORTATION GRANTS.** It is the intent of the sixty-fifth legislative assembly that \$55,400,000 be included in the transportation grants line item in House Bill No. 1013."

Renumber accordingly

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

**HB 1397, as engrossed: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1397 was placed on the Fourteenth order on the calendar.

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

**HB 1402: Judiciary Committee (Sen. Armstrong, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1402 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1428: Education Committee (Sen. Schaible, Chairman)** recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1428 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1431, as engrossed: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1431 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3006: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3006 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3024, as engrossed: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3024 was placed on the Fourteenth order on the calendar.

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

**Shanda Morgan, Secretary**