

JOURNAL OF THE SENATE

Sixty-fifth Legislative Assembly

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Bismarck, March 14, 2017

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

The prayer was offered by Pastor Matt Anderson, Surprise Church, Bismarck.

The roll was called and all members were present.

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. Davison, Chairman)** has carefully examined the Journal of the Thirty-fifth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 630, line 7, replace "Judiciary" with "Government and Veterans Affairs"

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. K. Koppelman, Devlin, D. Johnson, Keiser, Vigesaa and Sens. Hogue, Holmberg, Wardner introduced:

HCR 3034: A concurrent resolution urging North Dakota to continue strengthening and expanding sister-state ties between the state of North Dakota and the people of the Republic of China (Taiwan); supporting the signing of a Free Trade Agreement and Bilateral Investment Agreement between the United States and Taiwan; and reaffirming support for increasing Taiwan's international profile.

Was read the first time.

MOTION

SEN. KLEIN MOVED that the rules be suspended, that HCR 3034 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Reps. K. Koppelman, Devlin, D. Johnson, Keiser, Vigesaa and Sens. Hogue, Holmberg, Wardner introduced:

HOUSE CONCURRENT RESOLUTION NO. 3034

A concurrent resolution urging North Dakota to continue strengthening and expanding sister-state ties between the state of North Dakota and the people of the Republic of China (Taiwan); supporting the signing of a Free Trade Agreement and Bilateral Investment Agreement between the United States and Taiwan; and reaffirming support for increasing Taiwan's international profile.

WHEREAS, the State of North Dakota and Taiwan entered a sister-state relationship in 1986; and

WHEREAS, Taiwan shares the same values of freedom, democracy, rule of law, and respect for human rights as the State of North Dakota; and

WHEREAS, the bonds of true friendship and mutually beneficial trade partnership between the State of North Dakota and Taiwan have been strengthened, resulting in strong economic, social, tourism, and cultural exchanges; and

WHEREAS, negotiations for a Bilateral Investment Agreement between Taiwan and the United States are an important step toward further strengthening bilateral trade and paving the way for a Free Trade Agreement between Taiwan and the United States, which will increase North Dakota's exports to Taiwan and promote bilateral investment; and

WHEREAS, Taiwan, as a responsible stakeholder in the international community, is seeking meaningful participation in the International Civil Aviation Organization, United

Nations Framework Convention on Climate Change, and International Criminal Police Organization;

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

That the Sixty-fifth Legislative Assembly urges North Dakota to continue its endorsement and support of the relationship and shared interests between the people of the Republic of China (Taiwan) and the State of North Dakota and celebrate the thirty-first anniversary of sister-state relations; that the Sixty-fifth Legislative Assembly endorses the signing of the Bilateral Investment Agreement and Free Trade Agreement between Taiwan and the United States; and that the Sixty-fifth Legislative Assembly supports Taiwan's meaningful participation in international organizations that support the health, safety, and well-being of the people of Taiwan.

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the United States Secretary of State, Secretary General of the International Civil Aviation Organization, United States Secretary of Transportation, Governor of the Taiwan Provincial Government, and Director General of the Taipei Economic and Cultural Office in Denver, Colorado.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3034: A concurrent resolution urging North Dakota to continue strengthening and expanding sister-state ties between the state of North Dakota and the people of the Republic of China (Taiwan); supporting the signing of a Free Trade Agreement and Bilateral Investment Agreement between the United States and Taiwan; and reaffirming support for increasing Taiwan's international profile.

The question being on the final adoption of the resolution, which has been read.

HCR 3034 was declared adopted on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1363: SEN. POOLMAN (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 744-745 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 1211: A BILL for an Act to amend and reenact section 39-01-15 and subsection 1 of section 39-06.1-06 of the North Dakota Century Code, relating to parking spaces for mobility-impaired individuals.

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 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; 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: Larsen, O.

HB 1211 passed.

REMARKS OF LIEUTENANT COMMANDER JOEL HOLWITT

MARCH 14, 2017

Lieutenant Governor Sanford; President Pro Tempore Lee; Majority Leader Wardner; Minority Leader Heckaman and Members of the Senate: I am Lieutenant Commander Joel Holwitt, Executive Officer of the USS North Dakota.

I bring you greetings from our Commanding Officer, Commander Michael P. Hollenbach and the entire crew of your submarine, USS NORTH DAKOTA. We are all very honored to serve on board USS NORTH DAKOTA and to be linked to such a wonderful state.

Presenting this report on the current status of your warship is a tremendous honor for myself and for my shipmates. Thank you for this incredible opportunity and experience.

This is my second opportunity to visit your wonderful state. Twenty years ago, I spent a terrific week in Fargo for a national high school classical language competition. Even though I grew up in Texas, the very first time I ever spent in a basement waiting out a tornado was that week in Fargo; it sure was a memorable experience! I could never have imagined that twenty years later I would serve aboard the most advanced submarine in the world, named for this great state.

On USS NORTH DAKOTA, we know we are very fortunate to have such dedicated and willing supporters from our namesake state. Your support as legislators, the tireless work of the people of North Dakota, and the continuing involvement of the USS NORTH DAKOTA Committee have truly shown that no other U.S. Navy ship has the terrific namesake state support that we do! Commander Hollenbach and our entire crew very much appreciate all you have done for us.

Only nine months after USS NORTH DAKOTA was commissioned in October 2014, the Navy picked your boat to undertake a special mission that no previous American submarine had performed. Deploying across the world to the United States European Command, USS NORTH DAKOTA proved the ability to employ unmanned undersea vehicles in practical scenarios and to execute incredibly complex undersea surveillance and mapping missions requiring coordination with multiple Naval Special Warfare units. With superior tactics and mission planning, NORTH DAKOTA conducted operations of extraordinary value to national security in a challenging undersea environment. Because your boat continually exceeded all operational requirements, demonstrating uncommon focus in operations and pioneering the employment of future capabilities in support of national objectives, the Secretary of the Navy awarded your boat a Meritorious Unit Commendation, an honor rarely earned by a submarine in the first year in commission.

Over the next few months, USS NORTH DAKOTA and our crew will execute a detailed test program for every weapons system in your boat in order to certify their readiness for combat. This is important not just for your boat, but for many other submarines that are incorporating NORTH DAKOTA's advanced systems. We will even live fire two Tomahawk missiles in the first ever test launch of the VIRGINIA Payload Tube Missile system. NORTH DAKOTA's two payload tubes, located in the bow of the submarine, are affectionately referred to as our "six shooters" because they hold six missiles each and are featured prominently on the submarine's crest. The rest of our testing will feature a large number of exercise torpedo shots, as well as an array of intelligence gathering and sonar missions in very challenging environments. Our crew is working tirelessly to execute these complex certifications and prepare for the boat's next deployment, currently scheduled for next year.

Through you and the great people of North Dakota, your boat will continue to draw strength from the soil. We will continue to cherish our strong connection to you and all the people of this wonderful state. Be assured that every Sailor who serves in USS NORTH DAKOTA for next 30 years will be inspired your continuing support and patriotism.

Thank you.

SECOND READING OF HOUSE BILL

HB 1409: A BILL for an Act to amend and reenact section 38-11.2-07 of the North Dakota Century Code, relating to well water testing preceding subsurface mineral production and liability for damages to water supplies.

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 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 1409 passed.

SECOND READING OF HOUSE BILL

HB 1352: A BILL for an Act to amend and reenact sections 24-03-23, 39-26-02, 39-26-04, 39-26-06, 39-26-07, and 39-26-08 of the North Dakota Century Code, relating to custody and disposition of abandoned motor vehicles; 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

Engrossed HB 1352, as amended, passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1149: A BILL for an Act to amend and reenact section 54-10-27 of North Dakota Century Code, relating to audits of occupational and professional boards.

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

HB 1149, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1163: A BILL for an Act to repeal sections 12.1-30-01, 12.1-30-02, and 12.1-30-03 of the North Dakota Century Code, relating to Sunday closing 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 22 YEAS, 25 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Armstrong; Bekkedahl; Burckhard; Casper; Davison; Dotzenrod; Grabinger; Heckaman; Holmberg; Kannianen; Krebsbach; Kreun; Laffen; Lee, J.; Meyer; Nelson; Oban; Oehlke; Piepkorn; Poolman; Sorvaag; Unruh

NAYS: Anderson; Bowman; Campbell; Clemens; Cook; Dever; Erbele; Hogue; Kilzer; Klein; Larsen, O.; Larson, D.; Lee, G.; Luick; Marcellais; Mathern; Myrdal; Osland;

Robinson; Roers; Rust; Schaible; Vedaa; Wanzek; Wardner

Engrossed HB 1163, as amended, failed.

SECOND READING OF HOUSE BILL

HB 1251: A BILL for an Act to provide for a legislative management study of the creation of an inmate housing construction program.

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; 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

NAYS: Dever

Engrossed HB 1251, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1090: A BILL for an Act to amend and reenact subsection 1 of section 37-19.1-04, subsection 6 of section 44-04-18.4, subsection 8 of section 54-06-25, sections 54-06-26 and 54-44.3-01.2, subsection 2 of section 54-44.3-03, and sections 54-44.3-05 and 54-44.4-02.1 of the North Dakota Century Code, relating to bids and proposals received by public entities, notification of nonapplicability of veteran's preference, electronic ballot submission, long distance tolls, salary compensation comparison records, state personnel board vacancy filling procedures, secret ballot election rules, and reports of services.

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 1090, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1367: A BILL for an Act amend and reenact sections 20.1-13-07 and 20.1-13-10 of the North Dakota Century Code, relating to personal watercraft and towing an individual on water skies or similar devices; 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 44 YEAS, 3 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.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

NAYS: Lee, J.; Nelson; Oehlke

Engrossed HB 1367, as amended, passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1380: A BILL for an Act to create and enact a new section to chapter 18-03 of the North Dakota Century Code, relating to the authority of the North Dakota firefighter's association; and to provide for a legislative management study.

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 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 1380 passed.

SECOND READING OF HOUSE BILL

HB 1384: A BILL for an Act to create and enact a new subsection to section 54-11-01 of the North Dakota Century Code, relating to duties of the state treasurer; to amend and reenact section 10-15-49 of the North Dakota Century Code, relating to abandoned property; and to repeal section 15-02-05.2 of the North Dakota Century Code, relating to the administrator of abandoned property.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bekkedahl; Larsen, O.

NAYS: Anderson; Armstrong; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; 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

HB 1384 failed.

SECOND READING OF HOUSE BILL

HB 1385: A BILL for an Act to create and enact section 40-57-19.2 of the North Dakota Century Code, relating to municipal refunding bonds.

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 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

HB 1385 passed.

SECOND READING OF HOUSE BILL

HB 1171: A BILL for an Act to amend and reenact section 15-10-18.4 of the North Dakota Century Code, relating to extending the benefits of free tuition at state institutions of higher education to a stepchild of a peace officer killed in the line of duty.

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 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

HB 1171 passed.

SECOND READING OF HOUSE BILL

HB 1192: A BILL for an Act to amend and reenact section 6-09.4-23 of the North Dakota Century Code, relating to authority to withhold school district state aid.

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 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

HB 1192 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3015: A concurrent resolution declaring the fourth Saturday in July of each year as "Day of the American Cowboy".

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

Engrossed HCR 3015 was declared adopted on a voice vote.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1048, HB 1049, HB 1148, HB 1173, HB 1187, HB 1217, HB 1219, HB 1234, HB 1250, HB 1280, HB 1286, HB 1306, HB 1316, HB 1362.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1206.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1085, HB 1120, HB 1206, HB 1210, HCR 3021.

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

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1175, HB 1351, HB 1357, HCR 3020.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2249.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2249

Page 1, line 18, replace "12.1-32.1-01" with "12.1-31.2-01, except a temporary restraining order under subsection 4 of section 12.1-31.2-01"

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 2127.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2289.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1035, HB 1139, HB 1196, HB 1228, HB 1296, HCR 3003, HCR 3010.

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

MR. PRESIDENT: The Speaker has signed: SB 2289.

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

MR. SPEAKER: The President has signed: SB 2289.

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

MR. SPEAKER: The President has signed: HB 1035, HB 1139, HB 1196, HB 1228, HB 1296, HCR 3003, HCR 3010.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 14, 2017: SB 2032, SB 2089, SB 2133, SB 2159, SB 2182, SB 2198, SB 2213, SB 2214, SB 2267, SB 2310.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on March 14, 2017: SB 2289.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on March 13, 2017, I have signed the following: SB 2030, SB 2049, SB 2050, SB 2051, SB 2091, SB 2093, SB 2096, SB 2114, SB 2129, SB 2160, SB 2173, SB 2185, SB 2222, SB 2284, SB 2299, SB 2312, and SB 2324.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, March 15, 2017, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1036: Education Committee (Sen. Schaible, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1036 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1038, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1038 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1134, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1134 was placed on the Sixth order on the calendar.

Page 1, line 7, after the comma insert "applying and removing restrictions on individuals with developmental disabilities,"

Page 4, line 22, after "4." insert "A restriction of the rights of an individual with a developmental disability which is imposed by a public or private agency or organization that provides services to the individual must be reviewed at least annually as part of the individual's individualized habilitation, person-centered service, or individual education plan team meeting.

5. Unless a restriction applies universally, the restricting agency or organization shall remove the restriction placed on an individual with a developmental disability at the earliest point at which the individual demonstrates the ability to mitigate the need for the restriction.

6. "

Page 4, line 28, replace "5." with "7."

Page 6, line 22, after "physician" insert ", physician assistant, or advanced practice registered nurse"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1159: Transportation Committee (Sen. Laffen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1159 was placed on the Sixth order on the calendar.

Page 1, line 2, after "plates" insert "and the display of number plates on a motorcycle or trailer"

Page 1, line 12, overstrike "motorcycle, trailer, or"

Page 1, line 12, overstrike "thereof" and insert immediately thereafter "of the housetrailer. Number plates assigned to a motorcycle or trailer must be attached to the rear of the motorcycle or trailer and may be displayed vertically"

Page 1, line 19, replace "letters and numbers" with "number assigned to the vehicle and the name of the state"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1195, 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 1195 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 4 of section 12.1-20-03, relating to gross sexual imposition;"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 4 of section 12.1-20-03 of the North Dakota Century Code is amended and reenacted as follows:

4. If, as a result of injuries sustained during the course of an offense under this section, the victim dies, the offense is a class AA felony, for which the maximum penalty of life imprisonment without parole must be imposed unless the defendant was a juvenile at the time of the offense."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1215: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1215 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1315: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1315 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1323, as engrossed: Transportation Committee (Sen. Laffen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1323 was placed on the Sixth order on the calendar.

Page 2, line 15, after "physician" insert ". physician assistant."

Page 2, line 18, after "physician" insert ". physician assistant."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1325, as engrossed: Judiciary Committee (Sen. Armstrong, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1325 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3002, as engrossed: Judiciary Committee (Sen. Armstrong, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3002 was placed on the Fourteenth order on the calendar.

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

Shanda Morgan, Secretary