

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

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**Bismarck, March 26, 2019**

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

The prayer was offered by Retired Pastor LaRue Goetz, Bismarck.

The roll was called and all members were present except Representatives Louser and O'Brien.

A quorum was declared by the Speaker.

**MOTION**

**REP. VIGESAA MOVED** pursuant to House Rule 324, to suspend the rules for the purpose of temporarily amending the deadline for referrals of Senate bills to the **House Appropriations Committee**, which motion prevailed on a voice vote.

**MOTION**

**REP. VIGESAA MOVED** that House Rule 329(4) be amended temporarily to replace fifty-third legislative day with fifty-sixth legislative day for all bills except SB 2148, which motion prevailed on a voice vote.

**MOTION**

**REP. VIGESAA MOVED** that House Rule 329(4) be further amended temporarily to replace fifty-third legislative day with sixty-first legislative day for SB 2148, which motion prevailed on a voice vote.

**MOTION**

**REP. VIGESAA MOVED** that the House resolve itself into a Memorial Service, which motion prevailed on a voice vote.

**MEMORIAL "CELEBRATORY" SERVICE**

Presided over by Representative Karen Rohr  
Sergeant-at-Arms, Dwight Eckart

**Memorial Committee Members**

Representative Karen Rohr, Chair  
Representative Lisa Meier, Vice-Chair  
Representative Bert Anderson, Escort  
Representative Vernon Laning, Escort  
Representative Richard Holman, Escort  
Representative LaurieBeth Hager, Escort

**Invocation and Comments**

Representative Bert Anderson  
Ecclesiastes 3:1-8, "There is a time for everything,  
And a season for every activity under the heavens:  
A time to be born and a time to die,  
A time to plant and a time to uproot,  
A time to kill and a time to heal,  
A time to tear down and a time to build,  
A time to weep and a time to laugh,  
A time to mourn and a time to dance,  
A time to scatter stones and a time to gather them,  
A time to embrace and a time to refrain from embracing,  
A time to search and a time to give up,

A time to keep and a time to throw away,  
A time to tear and a time to mend,  
A time to be silent and a time to speak,  
A time to love and a time to hate,  
A time for war and a time for peace."

"Well Done" by The Afters

What will it be like when my pain is gone  
And all the worries of this world just fade away?  
What will it be like when You call my name  
And that moment when I see You face to face?  
I'm waiting my whole life to hear You say  
Well done, well done, my good and faithful one  
Welcome to the place where you belong  
Well done, well done, my beloved child  
You have run the race and now you are home  
Welcome to the place where you belong  
What will it be like when tears are washed away  
And every broken thing will finally be made whole?  
What will it be like when I come into Your glory  
Standing in the presence of a love so beautiful?  
I'm waiting my whole life for that day  
I will live my life to hear You say  
Well done, well done, my good and faithful one  
Welcome to the place where you belong  
Well done, well done, my beloved child  
You have run the race and now you are home  
Welcome to the place where you belong . . . well done!

Let us pray: Thank you Lord for this day when we can come  
together to remember our former colleagues.

We ask, Lord, that You will be with us through this service,  
and continue to comfort and bless these families who are with  
us today. We join our hearts and echo Your words, "Well Done".

In Jesus name we pray. Amen

#### **House Choir**

"It is Well With My Soul"

Directed by Representative Kim Koppelman

Accompanied by Joel Gilbertson and Levi Andrist

#### **Memorial Poem**

"Memories Live Forever"

Composed and read by Representative Lisa Meier

A bouquet of beautiful memories sprayed  
With a million tears.

Wishing God could have spared you,  
If just for a few more years.

It does not take a special day,

For us to think of you,

In prayers we say,

Are offered for you.

We cannot bring the old days back,

When we are all together,

Our family chain is broken now,

But memories live forever.

**House Choir**

"Amazing Grace – My Chains Are Gone"

**Special Delivery**

"Consider the Lillies" and "If We Never Meet Again"

Representative Chuck Damschen

Naomi Damschen

Cathy Anfinson

**First and Second Reading of Memorial Resolution**

Representative Vernon Laning

Representative Richard Holman

**FIRST READING OF HOUSE MEMORIAL RESOLUTION**

Memorial Resolutions Committee introduced:

**HMR 7001:** A memorial resolution for deceased members of the House of Representatives of North Dakota.

Was read the first time.

**MOTION**

**REP. VIGESAA MOVED** that the rules be suspended, that HMR 7001 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed on a voice vote.

Memorial Resolutions Committee introduced:

**HOUSE MEMORIAL RESOLUTION NO. 7001**

A memorial resolution for deceased members of the House of Representatives of North Dakota.

**WHEREAS**, God has welcomed to their eternal home our former colleagues:

Dr. Warren George Allen, who served in the 40<sup>th</sup> Legislative Assembly, from District 5, died October 12, 2017;

Myron H. Atkinson, Jr., who served in the 41<sup>st</sup> through the 44<sup>th</sup> Legislative Assemblies, from District 32, died June 12, 2017;

Arthur Glenn Bilden, who served in the 38<sup>th</sup> and 39<sup>th</sup> Legislative Assemblies, from District 5, and in the 40<sup>th</sup> Legislative Assembly, from District 19, died October 28, 2018;

Audrey Marie Boucher Cleary, who served in the 52<sup>nd</sup>, 53<sup>rd</sup>, 56<sup>th</sup>, and 57<sup>th</sup> Legislative Assemblies, from District 49, died February 5, 2019;

Jerrold Penryhn Ruedell Erickson, who served in the 33<sup>rd</sup> and 34<sup>th</sup> Legislative Assemblies, from District 28, died October 1, 2017;

Stephen Hugh Farrington, who served in the 44<sup>th</sup> Legislative Assembly, from District 14, died July 14, 2017;

James F. "Jim" Gerl, who served in the 42<sup>nd</sup>, the 45<sup>th</sup> through the 48<sup>th</sup>, and the 51<sup>st</sup> Legislative Assemblies, from District 34, died March 3, 2018;

William E. "Bill" Gorder, who served in the 46<sup>th</sup> through the 48<sup>th</sup> and the 52<sup>nd</sup> through 56<sup>th</sup> Legislative Assemblies, from District 16, died August 3, 2017;

Oben John Iver Gunderson, who served in the 42<sup>nd</sup> through the 47<sup>th</sup> Legislative Assemblies, from District 19, died September 5, 2018;

Treadwell Leslie "Tready" Haugen, who served in the 37<sup>th</sup> through the 39<sup>th</sup> Legislative Assemblies, from District 37, died September 25, 2018;

Jean Elizabeth Herman, who served in the 45<sup>th</sup> and 46<sup>th</sup> Legislative Assemblies, from District 44, died June 1, 2018;

Henning Jacobson, who served in the 52<sup>nd</sup> Legislative Assembly, from District 12, died May 18, 2018;

RaeAnn Gummer Kelsch, who served in the 52<sup>nd</sup> through the 62<sup>nd</sup> Legislative Assemblies, from District 34, died October 30, 2018;

David J. Koland, who served in the 47<sup>th</sup>, 49<sup>th</sup>, and 50<sup>th</sup> Legislative Assemblies, from District 5, died May 8, 2018;

William E. Kretschmar, who served in the 43<sup>rd</sup> through the 52<sup>nd</sup> Legislative Assemblies, from District 30, and in the 53<sup>rd</sup> through the 55<sup>th</sup> and the 57<sup>th</sup> through the 64<sup>th</sup> Legislative Assemblies, from District 28, died August 17, 2017;

Byron John Langley, who served in the 43<sup>rd</sup> through the 46<sup>th</sup> Legislative Assemblies, from District 12, died January 13, 2018;

George "Dale" Linderman, who served in the 38<sup>th</sup> and 39<sup>th</sup> Legislative Assemblies, from District 32, in the 41<sup>st</sup> and 42<sup>nd</sup> Legislative Assemblies, from District 13, and in the 43<sup>rd</sup> Legislative Assembly, from District 14, died October 16, 2018;

Dr. Edward H. Lloyd, Jr. who served in the 54<sup>th</sup> through the 57<sup>th</sup> Legislative Assemblies, from District 19, died March 17, 2019;

Herbert L. Meschke, who served in the 39<sup>th</sup> Legislative Assembly, from District 29, died May 19, 2017;

Honoratius Mathew "Ray" Metzger, who served in the 44<sup>th</sup> Legislative Assembly, from District 21, and in the 45<sup>th</sup> Legislative Assembly, from District 13, died September 9, 2018;

Alice Mae Miller, who served in the 52<sup>nd</sup> Legislative Assembly, from District 7, died April 1, 2017;

Dorothy Mae Moum, who served in the 47<sup>th</sup> Legislative Assembly, from District 22, died June 30, 2017;

Robert J. O'Shea, who served in the 45<sup>th</sup> and the 48<sup>th</sup> through 51<sup>st</sup> Legislative Assemblies, from District 8, died December 23, 2017;

George Albert "Bud" Sinner, who served in the 48<sup>th</sup> Legislative Assembly, from District 22, died March 9, 2018;

Robert Wayne "Bob" Stefanowicz, who served in the 56<sup>th</sup> Legislative Assembly, from District 2, died October 7, 2017;

Earl Loyal Stoltenow, who served in the 40<sup>th</sup> through the 43<sup>rd</sup> Legislative Assemblies, from District 25, died October 23, 2017;

E. Michael Timm, who served in the 43<sup>rd</sup> through the 49<sup>th</sup> and the 51<sup>st</sup> through the 59<sup>th</sup> Legislative Assemblies, from District 5, died August 17, 2018; and

**WHEREAS**, we now pause to mourn the passing of our former House of Representatives colleagues and to honor their memories; and

**WHEREAS**, these legislators rendered outstanding service to the people of the state by their contributions to public service;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA:**

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues; and

**BE IT FURTHER RESOLVED**, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the House of Representatives and that the Secretary of State present enrolled copies of this resolution to the surviving families of these deceased Representatives.

#### **SECOND READING OF HOUSE MEMORIAL RESOLUTION**

**HMR 7001:** A memorial resolution for deceased members of the House of Representatives of North Dakota.

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

HMR 7001 was declared adopted on a voice vote.

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#### **Presentation of Resolution and Roses**

Secretary of State, Alvin A. Jaeger

Representative Lisa Meier

Representative LaurieBeth Hager

#### **House Choir**

"Precious Lord, take My Hand"

#### **Remarks**

Majority Leader Chet Pollert

To everyone who is here today, welcome to the North Dakota House of Representatives. We are here to honor a group of men and women who served their communities well. As members of the people's house, they worked not only as legislators but as veterans, bankers, attorneys, teachers, and farmers. These regular citizens advocated for their communities by taking 4 months every other year to come to Bismarck and do the people's

work. They devoted their lives to making North Dakota a better place to live. Much of the success our state is experiencing now is due to the hard work of those who came before us, so it is more than fitting that we take some time today to honor the legislators we have lost in the last biennium. It seems that everyone who serves in the legislature shares a special connection. We all understand what an incredible privilege it is to serve our communities and state, but we also understand the sacrifices that our families make while we serve. My daughter is grown now, but when she was in third grade I had gone home for the weekend during the legislative session. We had gone to a community fundraiser in Pingree for a close friend who was fighting cancer, when a storm started rolling in and I decided to head back to Bismarck early. As I was getting ready to leave, my daughter, with tears in her eyes, looked at me and said, "I'm sick and tired of sharing you with Bismarck!" I think all of us here today can relate to this story in one way or another. Today, my children and the families of all the other legislators know the sacrifices that families make. Here in North Dakota, governing really is a team effort and legislators would never be able to work without the support of our families. So, for the families here today, thank you. Thank you for sharing your husband, wife, father, mother, grandfather, or grandmother with the North Dakota House of Representatives. Your love and support helped make North Dakota a better place. This house is your House and we are honored with your presence. Please join us in the Great Hall after this service to exchange stories and remember the legislators we lost.

#### **House Choir**

"Let the Lord Be With You"

Written by Joel Gilbertson

#### **CHANGE OF CHAIR**

**REP. ROHR YIELDED** the Chair to Speaker Klemin.

#### **MOTION**

**REP. VIGESAA MOVED** that the remarks of Reps. Pollert, Anderson and Meier be printed in the Journal, which motion prevailed on a voice vote.

#### **MOTION**

**REP. VIGESAA MOVED** that the Memorial Service be dissolved, which motion prevailed on a voice vote.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2065, SB 2081, SB 2087, SB 2182, SB 2198, SB 2305, SB 2339, SB 2361, SCR 4007.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2085, SB 2210.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2044, SB 2088, SB 2146, SB 2173, SB 2240, SB 2243, SCR 4004.

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

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2195, SB 2276.

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2156, SB 2275, SB 2291, SB 2300.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1035, HB 1318, HB 1367, HB 1405.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged:

HB 1046, HB 1349, HB 1377.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1056, HB 1199, HB 1279, HB 1356, HB 1366, HB 1412, HB 1533.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1056**

Page 1, line 6, remove "all outdoor."

Page 1, line 7, remove "permanent, flagpole locations on"

Page 1, line 7, after "grounds" insert "on the middle flagpole on the east side of the heritage center and on a flagpole in front of the all veterans memorial"

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE BILL NO. 1199**

Page 1, line 1, after "to" insert "create and enact a new section to chapter 39-10 of the North Dakota Century Code, relating to platoons; to"

Page 1, line 2, after "closely" insert "; and to provide a penalty"

Page 1, line 22, after "section" with "and section 2 of this Act"

Page 1, after line 24, insert:

**"SECTION 2.** A new section to chapter 39-10 of the North Dakota Century Code is created and enacted as follows:

**Motor vehicle platoons.**

1. The department, in coordination with the state highway patrol superintendent, shall develop an operational plan that provides guidelines for operating a platoon. The plan must include operational information that must be provided by a platoon technology provider or commercial motor vehicle operator. The department may restrict platooning operations in accordance with the guidelines or the operational information provided in the plan.
2. A platoon may not operate unless the platoon technology provider or the commercial motor vehicle operator files an operational plan with the department and the plan is approved for general platoon operations. If the department does not approve the plan, the department shall inform the platoon technology provider or commercial motor vehicle operator of the reason for the disapproval and provide guidance on how to resubmit the plan to obtain approval.
3. A person operating a motor vehicle in a platoon without an approved plan must be assessed a fee of one hundred dollars.
4. A person operating a motor vehicle in violation of the guidelines in an operational plan must be assessed a fee of one hundred dollars."

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1279**

Page 2, line 2, replace "five years" with "one year"

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE BILL NO. 1356**

Page 1, line 10, overstrike "fifty"

Page 1, line 18, overstrike "fifty"

Page 1, line 20, overstrike "fifty"

Page 2, line 2, overstrike "fifty"

ReNUMBER accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1366**

Page 1, line 10, overstrike "not exceeding"

Page 1, line 11, overstrike "a maximum power of"

Page 1, line 11, remove "eight"

Page 1, line 11, overstrike "by thirty-two millimeters"

ReNUMBER accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1412**

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

Page 1, line 1, after "20.1-01-08" insert "and 20.1-05-04"

Page 1, line 8, after the first "take" insert an underscored comma

Page 1, line 10, overstrike ". This section does not make it unlawful for an" and insert immediately thereafter "except:"

1.      An"

Page 1, line 10, overstrike "to" and insert immediately thereafter "may"

Page 1, line 11, remove "digital"

Page 1, line 14, overstrike "person's" and insert immediately thereafter "individual's"

Page 1, line 14, overstrike ". It is"

Page 1, line 15, overstrike "permissible to" and insert immediately thereafter "and"

2.      An individual may"

Page 1, line 15, remove "digital"

Page 1, line 19, overstrike "except" and insert immediately thereafter "including"

Page 1, after line 19, insert:

**"SECTION 2. AMENDMENT.** Section 20.1-05-04 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-05-04. Using certain animals and artificial lights in taking big game unlawful.**

~~No person, to hunt, pursue, kill, take, or attempt~~While hunting, pursuing, killing, taking, or attempting to take, or to aid in the hunting or taking of, any big game animal, an individual may not:

1. Use any animal except horses or mules.
2. Use ~~any~~ artificial light, including ~~spotlights and a spotlight~~ or automobile ~~and/or~~ motorcycle ~~headlights~~headlight.
3. Engage in the practice commonly known as shining for deer. An individual who shines ~~any~~an area commonly frequented by big game animals with ~~any~~ artificial light, between the hours of sunset and sunrise, is in violation of this section. However, an individual may use a ~~flashlight~~an artificial light, night vision, thermal vision, or infrared light with a power source of not ~~over~~more than six volts in the area while hunting ~~a~~foot to take coyote, fox, raccoon, or beaver."

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1533**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of charitable gaming laws.

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY.** During the 2019-20 interim, the legislative management shall consider studying the state's charitable gaming laws. The study must include:

1. An evaluation of whether charitable gaming is being expanded properly; whether the addition of new games, such as sports betting and historic horse racing, is appropriate; and whether such expansion should be approved by the voters;
2. An evaluation regarding the appropriate limitations, restrictions, and oversight if new games are added;
3. An evaluation of whether a portion of gaming proceeds should be deposited in the gambling disorder prevention and treatment fund; and
4. A review of whether the laws regarding taxation, eligible uses for proceeds, gambling sites and locations, limitations, enforcement, conduct and play of charitable gaming are fair, adequate, and appropriate.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1194.

#### **SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1194**

Page 1, line 2, remove "to amend and reenact"

Page 1, line 3, remove "section 50-24.1-37 of the North Dakota Century Code, relating to Medicaid expansion;"

Page 1, remove lines 7 through 22

Page 2, remove lines 1 through 30

Page 3, remove lines 1 and 2

Page 3, line 18, replace "fifty" with "seventy"



Page 3, line 18, replace "fifty" with "thirty"

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1191.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1254.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** Your signature is respectfully requested on: SB 2125, SB 2165, SB 2184, SB 2314, SB 2331.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: HB 1292, HB 1296, HB 1337, HB 1391, HB 1487, HB 1516.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2125, SB 2165, SB 2184, SB 2314, SB 2331.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2270, SB 2307, SB 2308, SB 2323, SB 2359, SCR 4002, SCR 4014.

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

The following bills were delivered to the Governor for approval on March 26, 2019: HB 1292, HB 1296, HB 1337, HB 1391, HB 1487, HB 1516.

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

The following resolution was delivered to the Secretary of State for filing on March 26, 2019: HMR 7001.

#### **MOTION**

**REP. VIGESAA MOVED** that the absent members be excused, which motion prevailed on a voice vote.

#### **MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, March 27, 2019, which motion prevailed on a voice vote.

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

**SB 2216, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2216 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 15-19 of the North Dakota Century Code, relating to definitions;"

Page 1, line 1, remove "15-19-04,"

Page 1, line 2, remove the first "and"

Page 1, line 2, after "15-19-08" insert ", and 15-20.1-03"

Page 1, line 3, replace "section" with "sections"

Page 1, line 3, after "15-19-03" insert "and 15-19-04"

Page 1, line 4, after "school" insert "and advertising"

Page 1, line 8, overstrike "**Distance**" and insert immediately thereafter "North Dakota center for distance"

Page 1, line 18, replace "deemed" with "determined to be"

Page 1, line 19, remove "and proper"

Page 2, line 12, overstrike "state"

Page 2, line 12, after "director" insert "in consultation with the administration of the center"

Page 2, after line 21, insert:

**"SECTION 2.** A new section to chapter 15-19 of the North Dakota Century Code is created and enacted as follows:

**Definitions.**

In this chapter, unless the context otherwise requires:

1. "Administration" includes the leadership of the center for distance education.
2. "Board" means the state board for career and technical education.
3. "Center" means the North Dakota center for distance education.
4. "Director" means the director and executive officer of the department of career and technical education."

Page 2, line 24, overstrike "- **Director of**" and insert immediately thereafter "**for the**"

Page 2, line 29, remove "executive"

Page 2, line 30, replace "may" with "shall"

Page 2, line 31, after "administration" insert "of the center"

Page 2, line 32, remove "administration's"

Page 2, line 32, replace "administering" with "operating"

Page 3, line 2, remove "executive"

Page 3, line 11, after "the" insert "administration of the"

Page 3, remove lines 18 through 25

Page 4, line 5, remove "executive"

Page 4, line 5, remove "for the department of career and"

Page 4, line 6, remove "technical education"

Page 4, line 27, overstrike "a" and insert immediately thereafter "an endowment and"

Page 4, line 28, after "The" insert "endowment and"

Page 5, line 2, after the first "the" insert "endowment and"

Page 5, line 3, after the period insert:

- "a. The center for distance education may draw on the endowment and scholarship fund for the award of scholarships within the limits and rules adopted by the state board for career and technical education.

b."

Page 5, line 4, after the second "the" insert "endowment and"

Page 5, line 5, overstrike "scholarships" and insert immediately thereafter "endowments"

Page 5, line 6, overstrike "The interest earned"

Page 5, overstrike line 7

Page 5, line 10, overstrike "**work**" and insert immediately thereafter "**support and services**"

Page 5, line 11, overstrike "work" and insert immediately thereafter "**support and services**"

Page 5, line 12, after "work" insert "provided"

Page 5, after line 14, insert:

**"SECTION 7. AMENDMENT.** Section 15-20.1-03 of the North Dakota Century Code is amended and reenacted as follows:

**15-20.1-03. Powers and duties of state board relating to career and technical education.**

The state board shall have all authority necessary to cooperate with the United States department of education or other department or agency of the United States of America in the administration of acts of Congress relating to career and technical education, including the following powers and duties:

1. To administer any legislation enacted by the legislative assembly of this state pursuant to or in conformity with acts of Congress relating to career and technical education.
2. To administer the funds provided by the federal government and by this state for the promotion of career and technical education and to contract with:
  - a. Any public or private institution or agency, board of trustees of any agricultural and training school, or school district of this state; or
  - b. Any public or private institution or agency, or political subdivision, of another state.
3. To formulate plans for the promotion of career and technical education in such subjects as are an essential and integral part of the public school system of education in this state.
4. To provide for the preparation of teachers.
5. To fix the compensation of such officers and assistants as may be necessary to administer the federal acts and the provisions of this chapter relating to career and technical education and to pay the same and other necessary expenses of administration from any funds appropriated for such purpose.
6. To make studies and investigations relating to career and technical education.
7. To promote and aid in the establishment of schools, departments, or classes, and to cooperate with local communities in the maintenance of career and technical education schools, departments, or classes.
8. To prescribe the qualifications and provide for the certification of teachers, directors, and supervisors.

9. To cooperate with governing bodies of school districts and with organizations and communities in the maintenance of classes for the preparation of teachers, directors, and supervisors of career and technical education, to maintain classes for such purposes under its own direction and control, and to establish and control, by general regulations, the qualifications to be possessed by persons engaged in the training of career and technical education teachers.
10. To coordinate new and existing farm management programs offered by any state agency or entity.
11. To create and expand marketing clubs as adjuncts to new and existing farm management programs.
12. To administer and supervise the program and all activities of the center for distance education.

Page 5, line 15, replace "Section" with "Sections"

Page 5, line 15, after "15-19-03" insert "and 15-19-04"

Page 5, line 15, replace "is" with "are"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2344, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2344 was placed on the Sixth order on the calendar.

Page 1, line 2, after "space" insert "and contract obligations"

Page 2, line 6, after "interest" insert "for"

Page 2, line 19, replace the underscored comma with an underscored semicolon

Page 2, line 20, replace the underscored comma with an underscored semicolon

Page 2, line 21, replace the third underscored comma with "; disposal operations;"

Page 3, line 2, remove "for, and development of, oil and gas reserves in"

Page 3, remove line 3

Page 3, line 4, remove "including"

Page 3, after line 11, insert:

- "4. This chapter may not be construed to alter, amend, repeal, or modify the law concerning title to pore space under section 47-31-03."

Page 4, line 10, after "minerals" insert "- Contracts"

Page 4, line 15, after the underscored period insert "This section and chapter 38-08 may not be construed to impair the obligations in a contract between parties who have entered an agreement for the use of the surface estate for disposal operations."

Renumber accordingly

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

**Buell J. Reich, Chief Clerk**