

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

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Bismarck, January 21, 2019

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

The prayer was offered by Pastor Russ Whitaker, Mission Evangelical Free Church, Wilton.

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

A quorum was declared by the President.

POINT OF PERSONAL PRIVILEGE

SEN. OBAN rose on a point of personal privilege.

REMARKS OF SENATOR OBAN**MR. PRESIDENT:**

Holidays like Martin Luther King Day that recognize significant people and times in our country's history always make me wonder what I would have done had I been around at the time. In this case, it was 1965, and another North Dakotan right about my age wondered the same thing.

A young, small-town man named Byron from Harlow, in Benson County, ND, was a depot agent and telegrapher for the Soo Line Railroad and a custom combiner for farmers in the area.

It's not surprising that Byron grew up believing that loyalty and service were of utmost importance, as his mother devoted her life to serving all equally, no matter what race, color, creed or financial status may have been represented. He carried that loyalty and service with him always, and certainly so when he was serving in the Marine Corps during the Korean Conflict.

His experience in the Marine Corps, with three of his closest friends being African Americans from southern states, surely influenced his desire to further the rights of African Americans and minority groups who were suffering abuse in the United States, the United States to which they had offered their lives in service, or came home to what should have been better lives, rather than that of being denied rights enjoyed by the majority of citizens. Byron's black friends served alongside him, shared food and shelter, protected him in war, as he - this lily-white Norwegian American - did them. Color did not matter. That his friends did not have the right to vote in elections, to be served at lunch counters, to use public bathrooms unless marked "colored," to be discriminated against in regard to schools and jobs, made no sense. He was determined to help.

Byron got a ten-day leave of absence, allowing just enough time to pack up his car for 5 full days of travel by car and train to arrive in Selma, Alabama. He marched in the official march for voter rights with Martin Luther King, Jr., Coretta King, now Representative John Lewis, and other civil rights leaders, clergy and lay people - a total of over 4,000 people - for eight miles until the highway narrowed from four lanes to two, at which time only about 250 were allowed to continue. By the time they arrived in Montgomery, over 25,000 individuals had joined the march.

Mr. President, many of us around Bismarck and in progressive activist circles know Byron personally. Many of you in this State Capitol know Byron from his public service. Before Byron Knutson went to Selma, he served across the hall in the House of Representatives, and after, as North Dakota's insurance and labor commissioners. But too few of us know this other part of Byron's story.

Byron and his wife, Bernice, have joined us here today. As we honor the long overdue mark Martin Luther King, Jr. made on this country, we also honor the courage of every day Americans and North Dakotans like Byron who stood up for what was right, even and especially when it was hard. Throughout this session, I hope we're called to do the same.

Thank you, Mr. President.

POINT OF PERSONAL PRIVILEGE

SEN. DEVER rose on a point of personal privilege.

REMARKS OF SENATOR DEVER

MR. PRESIDENT:

I was sixteen years old and sitting on the top bleacher against the North wall of the World War Memorial Hall in my small hometown. It was a Thursday evening and the American Legion was hosting Bingo night. It was April 4, 1968.

Then word came that Martin Luther King had been assassinated. Not many incidents or individuals achieve the status that emblazon themselves in our memories in that way. Martin Luther King did.

He and his father were both born with the name, Michael King. They later changed their name to Martin Luther which defined the future of the younger King as a great reformer.

An article I read this morning said that his niece had said that everything they did was based on the Bible. For a split second, I thought, No, his guiding principle was the words in the Declaration of Independence that say, "all men are created equal". In another split second, I realized that they were the same thing.

He loved his country. He knew its foundation. He fought violence with non-violence. He brought justice to injustice through civil disobedience. The strength of his work was in the strength of his ideology.

1968 was a violent year with the assassination of Robert F. Kennedy, the Tet offensive in Vietnam, and the riots at the Democrat National Convention in Chicago. Violence continues today in all too many ways.

We have much to learn from Martin Luther King regarding the way to effect change. It is good that we pause once a year to observe the life of Martin Luther King as an example to how we should act every day.

His place in history is secured, not by the color of his skin, but by the content of his character

MOTION

SEN. KLEIN MOVED that the remarks of Sen. Oban and Sen. Dever be printed in the Journal, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Rep. Vigesaa and Sen. Dever introduced:

HCR 3022: A concurrent resolution designating House and Senate employment positions and fixing compensation.

Was read the first time.

MOTION

SEN. KLEIN MOVED that the rules be suspended, that HCR 3022 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.

Rep. Vigesaa and Sen. Dever introduced:

HOUSE CONCURRENT RESOLUTION NO. 3022

A concurrent resolution designating House and Senate employment positions and fixing compensation.

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

That for the Sixty-sixth Legislative Assembly, the following positions are designated as employee positions of the House and Senate and are to be paid the daily wages indicated:

HOUSE	
Chief clerk	\$201
Assistant chief clerk	177
Journal reporter	191
Calendar clerk	177
Bill clerk	165
Recording clerk	160
Sergeant-at-arms	160
Administrative assistant to majority leader	174
Staff assistant to majority leader	174
Administrative assistant to minority leader	174
Staff assistant to minority leader	174

Administrative assistant to Speaker	174
Deputy chief clerk	184
Appropriations committee clerk	174
Assistant appropriations committee clerk	167
Committee clerk for three-day committee	167
Committee clerk for two-day committee	162
Assistant committee clerk	162
Deputy sergeant-at-arms	122
Chief legislative assistant	135
Legislative assistant	115

SENATE

Secretary of the Senate	\$201
Assistant secretary of the Senate	177
Journal reporter	191
Calendar clerk	177
Bill clerk	165
Recording clerk	160
Sergeant-at-arms	160
Administrative assistant to majority leader	174
Staff assistant to majority leader	174
Administrative assistant to minority leader	174
Staff assistant to minority leader	174
Chief committee clerk	184
Appropriations committee clerk	174
Assistant appropriations committee clerk	167
Committee clerk for three-day committee	167
Committee clerk for two-day committee	162
Assistant committee clerk	162
Deputy sergeant-at-arms	122
Chief page	135
Legislative assistant	115

BE IT FURTHER RESOLVED, that each employee of the Sixty-sixth Legislative Assembly is entitled to an additional \$1 per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an employee of the House or the Senate, and to receive this additional compensation, which may not exceed \$10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

BE IT FURTHER RESOLVED, that each majority and each minority leader is entitled to one administrative assistant and two staff assistants, but each majority or minority leader may hire fewer or more assistants so long as the total daily compensation for the assistants hired does not exceed the total daily amount authorized for those positions by this resolution; and

BE IT FURTHER RESOLVED, that the report of the Employment Committee of the respective house identify the number of employees in each position by listing every employee and the position for which employed; and

BE IT FURTHER RESOLVED, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay, and a part-time employee may hold more than one part-time position so long as the positions held do not exceed a full-time equivalent position; and

BE IT FURTHER RESOLVED, an employee is entitled to pay for any day the Legislative Assembly is in recess and any employee is required to be present for committee hearings or other legislative business; and

BE IT FURTHER RESOLVED, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3022: A concurrent resolution designating House and Senate employment positions and fixing compensation.

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

HCR 3022 was declared adopted on a voice vote.

MOTION

SEN. KLEIN MOVED that SB 2276 be returned to the Senate floor from the **Education Committee** and be rereferred to the **Finance and Taxation Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, SB 2276 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2151: SEN. FORS (Transportation Committee) MOVED that the amendments on SJ page 237 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

MOTION

SEN. KLEIN MOVED that SB 2129 and SB 2060 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2129: A BILL for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 and a new section to chapter 39-08 of the North Dakota Century Code, relating to entries against a driving record and prohibiting a minor from riding within the open bed of a truck; to amend and reenact section 39-06.1-09 of the North Dakota Century Code, relating to moving violations; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEAS, 45 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Patten

NAYS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2129 failed.

SECOND READING OF SENATE BILL

SB 2060: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 and section 39-21-41.4 of the North Dakota Century Code, relating to the amount of statutory fees and the use of safety belts; to repeal section 39-21-41.5 of the North Dakota Century Code, relating to secondary enforcement of safety belt requirements; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 23 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Bekkedahl; Burckhard; Davison; Dever; Dwyer; Heckaman; Hogan; Holmberg; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Oban; Patten; Piepkorn; Robinson; Roers, J.; Roers, K.

NAYS: Anderson; Clemens; Cook; Dotzenrod; Elkin; Erbele; Fors; Grabinger; Hogue; Kannianen; Klein; Larsen, O.; Myrdal; Oehlke; Osland; Poolman; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2060 failed.

SECOND READING OF SENATE BILL

SB 2206: A BILL for an Act to create and enact a new section to chapter 5-02 of the North Dakota Century Code, relating to alcohol breath analyzers; to provide a penalty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 38 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Davison; Dwyer; Grabinger; Heckaman; Hogan; Marcellais; Mathern; Robinson

NAYS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dever; Dotzenrod; Elkin; Erbele; Fors; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

Engrossed SB 2206 failed.

SECOND READING OF SENATE BILL

SB 2198: A BILL for an Act to amend and reenact sections 23-01-44 and 50-06-01 of the North Dakota Century Code, relating to duties of the department of human services behavioral health division.

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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

NAYS: Larson, D.

ABSENT AND NOT VOTING: Meyer

Engrossed SB 2198 passed.

SECOND READING OF SENATE BILL

SB 2167: A BILL for an Act to create and enact section 26.1-26-31.9 of the North Dakota Century Code, relating to insurance producer and consultant continuing education; and to amend and reenact sections 26.1-26-02 and 26.1-26-35 of the North Dakota Century Code, relating to definitions relating to insurance producers and consultants.

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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

Engrossed SB 2167 passed.

SECOND READING OF SENATE BILL

SB 2135: A BILL for an Act to create and enact section 26.1-26-31.9 of the North Dakota Century Code, relating to insurance producer and consultant continuing education; and to amend and reenact sections 26.1-26-02 and 26.1-26-35 of the North Dakota Century Code, relating to definitions relating to insurance producers and consultants.

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

NAYS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2135 failed.

SECOND READING OF SENATE BILL

SB 2025: A BILL for an Act to amend and reenact section 15.1-02-04 of the North Dakota Century Code, relating to the duty of the superintendent of public instruction to review the statewide education strategic vision; and provide reports to the legislative assembly and legislative management.

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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

Engrossed SB 2025 passed.

SECOND READING OF SENATE BILL

SB 2171: A BILL for an Act to amend and reenact section 15.1-02-16 of the North Dakota Century Code, relating to credentials for teachers of computer and cyber science.

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2171 passed.

SECOND READING OF SENATE BILL

SB 2188: A BILL for an Act to amend and reenact section 48-09-01 of the North Dakota Century Code, relating to bid requirements for park districts.

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2188 passed.

SECOND READING OF SENATE BILL

SB 2067: A BILL for an Act to amend and reenact section 16.1-16-09 of the North Dakota Century Code, relating to appeals of election contest judgments.

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2067 passed.

SECOND READING OF SENATE BILL

SB 2143: A BILL for an Act to amend and reenact subsection 1 of section 43-12.3-06 of the North Dakota Century Code, relating to the health care professional student loan repayment program.

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2143 passed.

SECOND READING OF SENATE BILL

SB 2081: A BILL for an Act to amend and reenact section 15-03-16 of the North Dakota Century Code, relating to a continuing appropriation for investments controlled by the board of university and school lands.

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2081 passed.

SECOND READING OF SENATE BILL

SB 2190: A BILL for an Act to repeal section 11-14-11 of the North Dakota Century Code, relating to reports to township clerks.

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2190 passed.

SECOND READING OF SENATE BILL

SB 2133: A BILL for an Act to amend and reenact sections 39-10-41 and 39-10-43 of the North Dakota Century Code, relating to railroad grade crossings; and to provide a penalty.

ROLL CALL

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

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Meyer

SB 2133 passed.

SECOND READING OF SENATE BILL

SB 2162: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to the local permit prize limits.

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 34 YEAS, 12 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Cook; Davison; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Holmberg; Klein; Krebsbach; Kreun; Larsen, O.; Lee, J.; Luick; Marcellais; Myrdal; Oban; Osland; Patten; Poolman; Roers, J.; Roers, K.; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

NAYS: Clemens; Dever; Hogan; Hogue; Kannianen; Larson, D.; Lee, G.; Mathern; Oehlke; Piepkorn; Robinson; Rust

ABSENT AND NOT VOTING: Meyer

SB 2162 passed.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2120, SB 2140, SB 2152, SB 2172, SB 2200.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2052.

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

MR. SPEAKER: The Senate has passed, unchanged: HCR 3022.

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

MR. PRESIDENT: The House has passed, and your favorable consideration is requested on: HB 1132, HB 1139, HB 1140, HB 1172, HB 1176, HB 1190, HB 1271.

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, and Ninth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, January 22, 2019, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2138: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2138 was placed on the Sixth order on the calendar.

Page 1, line 2, after "allowing" insert " physician assistants and"

Page 1, line 11, after "physician" insert ", physician assistant."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2189: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2189 was placed on the Sixth order on the calendar.

Page 1, line 1, after "57-02-51" insert ", 57-09-01,"

Page 1, line 2, after the third "of" insert "a township and"

Page 1, line 16, after "township" insert "and a city"

Page 1, line 17, overstrike "on the second Monday in April and in a city"

Page 1, after line 18, insert:

"SECTION 2. AMENDMENT. Section 57-09-01 of the North Dakota Century Code is amended and reenacted as follows:

57-09-01. Membership of board - Meeting.

1. The township board of equalization consists of the members of the board of supervisors of each township, and the township clerk shall act as clerk of said board. The board shall meet ~~on the second Monday in~~within the first fifteen days of April in each year at the usual place of meeting of the township board of supervisors.
2. ~~Notwithstanding the provisions of subsection 1, if~~If the same person performs the duties of assessor for two or more townships or cities, the township clerk may, after consultation with the assessor involved, designate the hour and day in the month of April at which the meeting provided for in subsection 1 must be held for each township board of equalization; provided, that notice of the hour and day must be published in the official newspaper of the political subdivisions involved and posted at the usual place of meeting by the township clerk at least ten days before the meeting."

Page 1, line 22, remove the overstrike over "4."

Page 2, line 6, remove the overstrike over "2:"

Page 2, line 6, after "if" insert "If"

Page 2, line 6, remove the overstrike over "~~the same person performs the duties~~"

Page 2, remove the overstrike over lines 7 through 12

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2209: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2209 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2235: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2235 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 43-07-01, 43-07-03, 43-07-07, 43-07-09, 43-07-09.1, 43-07-10, 43-07-11.1, 43-07-12, 43-07-13, and 43-07-19 of the North Dakota Century Code, relating to the regulation of contractors.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-07-01 of the North Dakota Century Code is amended and reenacted as follows:

43-07-01. Definitions.

In this chapter, unless the context or subject matter otherwise requires:

1. "Contractor" means any person engaged in the business of construction, repair, alteration, dismantling, or demolition of bridges, highways, roads, streets, buildings, airports, dams, drainage or irrigation ditches, sewers, water or gas mains, water filters, tanks, towers, oil, gas, or water pipelines, and every other type of structure, project, development, or improvement coming within the definition of real or personal property, including the construction, alteration, or repair of property to be held either for sale or rental, and ~~shall include~~includes subcontractor, public contractor, and nonresident contractor.
2. "Contractor year" means March second through March first.
3. "Nonresident contractor" means any contractor who ~~has~~does not ~~have~~ an established and maintained place of business within this state, or who has not made reports to North Dakota workforce safety and insurance within the previous year of employees within this state, and who has not made contributions to the North Dakota workforce safety and insurance fund accordingly, or who, during a like period has not made an income tax return in this state.
3. ~~"Person" includes any individual, firm, copartnership, association, corporation, limited liability company, or other group or combination thereof acting as a unit, and the plural as well as the singular number, unless the intent to give a more limited meaning is disclosed clearly by the context thereof.~~
4. "Public contract" means a contract with the state of North Dakota or any board, commission, or department thereof, or with any board of county commissioners, or with any city council or board of city commissioners, board of township supervisors, school board, or with any state or municipal agency, or with any other public board, body, commission, or agency authorized to let or award contracts for the construction or reconstruction of public work when the contract cost, value, or price exceeds the sum of four thousand dollars and includes subcontracts undertaken to perform work covered by the original contract or any part

thereof when the contract cost, value, or price of the work included in the subcontract exceeds the sum of four thousand dollars.

5. "Registrar" means the secretary of state ~~of the state of North Dakota~~.

SECTION 2. AMENDMENT. Section 43-07-03 of the North Dakota Century Code is amended and reenacted as follows:

43-07-03. Registrar ~~designated~~ authority.

The ~~secretary of state as registrar has authority to~~ may employ such assistance and procure such records, supplies, and equipment as ~~may be necessary~~ to carry out the provisions of this chapter.

SECTION 3. AMENDMENT. Section 43-07-07 of the North Dakota Century Code is amended and reenacted as follows:

43-07-07. Classes of licenses - License fees - License renewal fees.

1. Four classes of licenses may be issued under this chapter, which must be designated as class A, B, C, and D licenses. A holder of a license may engage in the contracting business within this state subject to the following limitations:
 - a. The holder of a class A license is subject to no limitation as to the value of any single contract project.
 - b. The holder of a class B license is not entitled to engage in the construction of any single contract project of a value in excess of five hundred thousand dollars.
 - c. The holder of a class C license is not entitled to engage in the construction of any single contract project of a value in excess of three hundred thousand dollars.
 - d. The holder of a class D license is not entitled to engage in the construction of any single contract project of a value in excess of one hundred thousand dollars.
2. ~~When~~If applying for a license as described and required in this chapter, the applicant shall pay to the registrar the following fees:
 - a. For a class A license, the sum of four hundred fifty dollars.
 - b. For a class B license, the sum of three hundred dollars.
 - c. For a class C license, the sum of two hundred twenty-five dollars.
 - d. For a class D license, the sum of one hundred dollars.
3. ~~For a certificate of renewal for~~For a license, the licensee shall pay to the registrar the following fees:
 - a. For a class A license, the sum of ninety dollars.
 - b. For a class B license, the sum of sixty dollars.
 - c. For a class C license, the sum of forty-five dollars.
 - d. For a class D license, the sum of thirty dollars.
4. Twenty-five percent of all moneys collected by the registrar under this chapter must be deposited in the secretary of state's general services operating fund to pay the cost to administer this chapter and the balance

of the moneys collected must be deposited with the state treasurer, who shall credit ~~them~~that amount to the general fund of the state.

SECTION 4. AMENDMENT. Section 43-07-09 of the North Dakota Century Code is amended and reenacted as follows:

43-07-09. Duty of registrar - Expiration of license.

Within fifteen days from the date of application, the registrar may investigate and determine each applicant's eligibility to act in the capacity of a contractor as provided in section 43-07-04.1, and no license may be issued to such applicant until the registrar receives all documentation necessary to obtain a license and the appropriate fee. The license issued on an original application entitles the licensee to act as a contractor within this state, subject to the limitations of such license, until the expiration of the then current ~~fiscal~~contractor year ending March first, except that an initial license issued to a licensee in January or February is valid until March first of the subsequent year.

SECTION 5. AMENDMENT. Section 43-07-09.1 of the North Dakota Century Code is amended and reenacted as follows:

43-07-09.1. Name changes.

Not later than ten days after the date of a change in a contractor's name, the licensee ~~must~~shall notify the registrar of the name change on a form provided by the registrar. A name change must be accompanied by a ten dollar fee. A licensee may not change ~~its~~the name ~~of the licensee~~ if the change is associated with a change in the legal status other than a change in marital status. A corporation, limited liability company, limited liability partnership, or limited partnership registered with the ~~secretary of state~~registrar is not subject to this section.

SECTION 6. AMENDMENT. Section 43-07-10 of the North Dakota Century Code is amended and reenacted as follows:

43-07-10. Renewal of license - Grounds for nonrenewal - Time requirements - Invalidity of license for failure to renew.

1. Any license issued under this chapter may be renewed for each successive ~~fiscal~~contractor year by obtaining from the registrar a ~~certificate of renewal~~for the current contractor year. To obtain a ~~certificate of renewal~~for the current contractor year, the licensee shall file with the registrar an application that includes a listing of each project, contract, or subcontract completed by the licensee during the preceding calendar year in this state over the amount of twenty-five thousand dollars and the nature of the work of each project, contract, or subcontract. The registrar ~~shall~~, within a reasonable time, shall forward a copy of the list to the state tax commissioner. The applicant shall include with the application a copy of a certificate of liability insurance naming the ~~secretary of state~~registrar as the certificate holder unless the registrar has a current valid certificate of insurance on file, and a certification that the applicant has submitted all payroll taxes, including North Dakota income tax, workforce safety and insurance premiums, and unemployment insurance premiums due at the time of renewal, which documents need not be notarized.
2. The registrar may refuse to renew a license if the registrar determines the application contains false, misleading, or incomplete information or if the contractor's license is not in good standing for any of the reasons listed in subsection 3 of section 43-07-04. The registrar shall notify the applicant in writing if the registrar does not grant the license and shall provide the applicant an opportunity to respond to or cure the defect in the application for a period of ten days from the date of the written notification. An applicant aggrieved by a decision of the registrar not to grant the license may appeal the decision to the district court of the applicant's county of residence or Burleigh County.

3. The application for a certificate of renewal for the current contractor year must be made to the registrar on or before the first day of March second of each year, except as provided otherwise under this chapter. At the time of filing the application for a certificate of renewal for the current contractor year, the applicant shall pay to the registrar the renewal fee established in section 43-07-07. If any contractor applies for a renewal under a class different from the license previously issued, the new class license may be issued upon the payment of the fee required for the issuance of the license of the class applied for. If any contractor fails to file an application for a certificate of renewal for the current contractor year by the March first deadline, the contractor's license is not in good standing and the contractor ~~must be~~ deemed to be unlicensed within the meaning of section 43-07-02. Within sixty days after March first, the registrar shall notify the contractor ~~must be notified by~~ mail that the contractor's license is not in good standing. The contractor then has until June first to renew by paying a penalty fee of fifty dollars, filing an application for a certificate of renewal for the current contractor year, and paying the renewal fee. A contractor who applies for a certificate of renewal for the current contractor year before or within ninety days of the filing deadline is not subject to the investigation authorized in section 43-07-09. After the June first deadline any licenses not renewed are ~~revoked~~ expired. Any application for a certificate of renewal for the current contractor year must be fully completed within sixty days of the date the application is received by the registrar or the registrar shall return the application to the contractor who then is subject to section 43-07-09. The registrar may destroy all renewals provided for in this section after ~~they~~ the renewals have been on file for six years.

SECTION 7. AMENDMENT. Section 43-07-11.1 of the North Dakota Century Code is amended and reenacted as follows:

43-07-11.1. Contracts with state.

1. ~~No~~A contractor, resident or nonresident, is not eligible to enter into a public contract with any department of the state of North Dakota, ~~nor~~or any political or governmental subdivision of the state until satisfactory showing is made that ~~said~~the contractor has paid all delinquent income, sales or use taxes, if any, owed to the state pursuant to the provisions of the income, sales or use tax laws, and which have been assessed either by the filing of an income or sales and use tax return by the contractor, or by an assessment of additional income, sales or use taxes against the contractor by the commissioner ~~that~~which has become finally and irrevocably fixed, before the date that the contract was executed by the parties thereto. "Contractor" and "public contract" have the same definition for purposes of this section as in chapter 43-07 relating to issuance of licenses to contractor ~~to the contract~~.
2. A certificate from and by the tax commissioner ~~shall satisfy~~satisfies the requirement of subsection 1. Upon failure to file such a certificate, ~~such~~the department or political or governmental subdivision shall refuse to execute ~~said~~the public contract.
3. The provisions of this section apply ~~only~~to contracts executed after July 1, 1965.

SECTION 8. AMENDMENT. Section 43-07-12 of the North Dakota Century Code is amended and reenacted as follows:

43-07-12. Bids to show license issued.

All bids and proposals for the construction of any public contract project subject to the provisions of this chapter must contain a copy of the license or certificate of renewal thereoffor the current contractor year of the license issued by the ~~secretary of state~~registrar, enclosed in the required bid bond envelope. ~~No~~A contract may not be awarded to any contractor unless the contractor is the holder of

a license in the class within which the value of the project falls as ~~hereinbefore~~ provided under this section. A contractor must be the holder of a license at least ten days ~~prior to before~~ the date set for receiving bids, to be a qualified bidder. A bid submitted without this information properly enclosed in the bid bond envelope may not be read ~~nor~~ considered and must be returned to the bidder. This section does not apply to bids submitted:

1. To the department of transportation;
2. For use of municipal, rural, and industrial water supply funds authorized by Public Law No. 99-294 [100 Stat. 418];
3. To the public service commission; or
4. For use of federal aid highway funds authorized by Public Law No. 85-767 [72 Stat. 885; 23 U.S.C. 101 et seq.].

SECTION 9. AMENDMENT. Section 43-07-13 of the North Dakota Century Code is amended and reenacted as follows:

43-07-13. Records and certified copies ~~thereof~~ of records.

The registrar shall maintain in the registrar's office, open to public inspection during office hours, a complete indexed record of all applications, licenses, certificates of renewal ~~for the current contractor year~~, revocations, expirations, and other information maintained on contractors. The registrar may dispose of an inactive contractor file after two years if no attempts have been made to apply for a new license or renew the license. Disposal of the license will proceed according to the provisions of chapter 54-46. Before disposal and upon request, the registrar shall furnish a certified copy of any information maintained upon receipt of the fees prescribed in section 54-09-04. Any certificate or certified copy issued by the ~~secretary of state~~ registrar under this section has the same force and effect as provided in section 54-09-02.1.

SECTION 10. AMENDMENT. Section 43-07-19 of the North Dakota Century Code is amended and reenacted as follows:

43-07-19. Nonresident contractors - Agent for service of process.

Every applicant for a contractor's license who is not a resident of the state of North Dakota, by signing and filing the application, appoints the ~~secretary of state~~ registrar as the applicant's true and lawful agent upon whom may be served all lawful process in any action or proceeding against such nonresident contractor. ~~Such~~ The appointment in writing is evidence of the contractor's consent that any ~~such~~ process against the contractor which is so served upon the ~~secretary of state~~ registrar is of the same legal force and effect as if served upon the contractor personally within this state. Registered foreign corporations entitled to do business in this state according to chapter 10-19.1, registered foreign limited liability companies entitled to do business in the state according to chapter 10-32.1, foreign limited liability partnerships entitled to do business in the state according to chapter 45-22, and foreign limited partnerships entitled to do business in the state according to chapter 45-10.2 and having a current registered agent and registered address on file in the ~~secretary of state's~~ registrar's office ~~do not need to~~ appoint the ~~secretary of state~~ registrar as agent for service of process under this section. Within ten days after service of the summons upon the ~~secretary of state~~ registrar, notice of ~~such~~ the service with the summons and complaint in the action ~~shall~~ must be sent to the defendant contractor at the defendant contractor's last-known address by registered or certified mail with return receipt requested and proof of ~~such~~ the mailing ~~shall~~ must be attached to the summons. The ~~secretary of state~~ registrar shall keep a record of all process served upon the ~~secretary of state~~ registrar under this section, showing the day and hour of service. ~~Whenever~~ If service of process was made under this section, the court, before entering a default judgment, or at any stage of the proceeding, may order ~~such~~ the continuance as may be necessary to afford the defendant contractor reasonable opportunity to defend any action pending against the defendant contractor."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2253: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2253 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2255: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2255 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2272: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2272 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2273: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2273 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2283: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2283 was placed on the Sixth order on the calendar.

Page 1, line 9, after the underscored period insert "Only the issuer of the security or a broker-dealer registered under section 10-04-01 may make an application for registration of securities by coordination."

Renumber accordingly

FIRST READING OF SENATE BILLS

Sens. Mathern, Anderson and Reps. Hoverson, Laning introduced:

SB 2335: A BILL for an Act to amend and reenact section 4.1-33-18 of the North Dakota Century Code, relating to pesticide application.

Was read the first time and referred to the **Agriculture Committee**.

Sens. Piepkorn, Bakke, Grabinger and Reps. Boschee, Jones, Schneider introduced:

SB 2336: A BILL for an Act to amend and reenact section 57-51.1-02 of the North Dakota Century Code, relating to the oil extraction tax rate; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Clemens, Kreun, G. Lee and Reps. Damschen, Jones, B. Koppelman introduced:

SB 2337: 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 requiring school districts to develop a drug testing policy.

Was read the first time and referred to the **Education Committee**.

Sen. Cook and Rep. Dockter introduced:

SB 2338: A BILL for an Act to create and enact sections 57-39.2-02.3 and 57-40.2-02.4 of the North Dakota Century Code, relating to collection of sales and use tax by marketplace facilitators; to amend and reenact subsection 22 of section 57-39.2-01, and subsections 6 and 7 of section 57-40.2-01 of the North Dakota Century Code, relating to the definition of retailer and retail sale; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sen. Anderson and Rep. Westlund introduced:

SB 2339: A BILL for an Act to amend and reenact section 43-45-05.1 of the North Dakota Century Code, relating to qualification for addiction counseling licensure for an applicant licensed in another jurisdiction.

Was read the first time and referred to the **Human Services Committee**.

Sens. Unruh, Cook and Reps. Heinert, Porter introduced:

SB 2340: A BILL for an Act to create and enact subsection 6 of section 44-04-18.10 of the North Dakota Century Code, relating to protection of records shared for emergency purposes; and to amend and reenact section 44-04-18.4 of the North Dakota Century Code, relating to confidentiality of records regarding emergency planning and response.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sens. Davison, Bekkedahl and Reps. Bosch, Richter introduced:

SB 2341: A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to the apprenticeship training program; and to amend and reenact sections 54-60-17 and 54-60-17.1 of the North Dakota Century Code, relating to apprenticeships and uses of the internship fund.

Was read the first time and referred to the **Education Committee**.

Sen. Erbele and Rep. Brandenburg introduced:

SB 2342: A BILL for an Act to create and enact a new section to chapter 20.1-13 of the North Dakota Century Code, relating to restrictions on noises resulting from the operation of boats and other watercraft; and to provide a penalty.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Klein, Meyer, Poolman and Reps. Beadle, Howe, Mock introduced:

SB 2343: A BILL for an Act to amend and reenact sections 5-01-14 and 5-01-21 of the North Dakota Century Code, relating to licensing of microbrew pubs and brewer taproom licenses.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Unruh, Cook, Schaible and Reps. Kempenich, Porter introduced:

SB 2344: A BILL for an Act to create and enact section 47-31-09 of the North Dakota Century Code, relating to injection or migration of substances into pore space; and to amend and reenact sections 38-08-25, 38-11.1-01, and 38-11.1-03 of the North Dakota Century Code, relating to pore space and oil and gas production.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Wanzek, Dotzenrod, Luick and Reps. Brandenburg, D. Johnson, Pollert introduced:

SB 2345: A BILL for an Act to amend and reenact sections 11-33-02.1, 23-25-11, 23.1-06-15, and 58-03-11.1 of the North Dakota Century Code, relating to animal feeding operations and zoning regulations; to provide an effective date; to provide a contingent effective date; and to provide an expiration date.

Was read the first time and referred to the **Agriculture Committee**.

Sens. Wanzek, Dotzenrod, Klein, Luick and Reps. D. Johnson, Kempenich introduced:

SB 2346: A BILL for an Act to create and enact a new section to chapter 60-02 and a new section to chapter 60-10 of the North Dakota Century Code, relating to records confidentiality for warehousemen and grain buyers and assessment refunds for grain producers; to amend and reenact subsection 5 of section 60-02-07 and sections 60-02-11, 60-02.1-07, 60-02.1-37, 60-02.1-38, 60-04-09, 60-04-10, 60-10-01, 60-10-02, 60-10-03, 60-10-04, 60-10-05, 60-10-06, 60-10-07, 60-10-09, 60-10-10, 60-10-13, 60-10-14, and 60-10-15 of the North Dakota Century Code, relating to warehouse and grain buyer licensing, scale ticket conversions, claims distributions, assessments and refunds, subrogation, and unlicensed grain buyers; to provide a penalty; to provide a continuing appropriation; and to provide for reports.

Was read the first time and referred to the **Agriculture Committee**.

Sens. K. Roers, Hogan, J. Lee and Reps. Boschee, Rohr, Schneider introduced:

SB 2347: A BILL for an Act to provide for liability for false medical assistance claims and to provide for a Medicaid fraud control unit; and to provide a penalty.

Was read the first time and referred to the **Human Services Committee**.

Sens. K. Roers, Holmberg, J. Roers and Reps. Beadle, Boschee, Dockter introduced:

SB 2348: A BILL for an Act to amend and reenact section 53-06.1-10.1 of the North Dakota Century Code, relating to guidelines for fifty-fifty raffles.

Was read the first time and referred to the **Judiciary Committee**.

Sens. Wardner, J. Lee and Reps. Holman, Kreidt introduced:

SB 2349: A BILL for an Act to create and enact a new chapter to title 57 of the North Dakota Century Code, relating to a provider assessment for nursing facilities; and to provide an expiration date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Cook, Patten and Reps. Grueneich, Hatlestad introduced:

SB 2350: A BILL for an Act to create and enact a new section to chapter 57-06 and a new section to chapter 57-33.2 of the North Dakota Century Code, relating to county auditor verification of information reported by public utility companies and electric generation, distribution, and transmission companies; to amend and reenact sections 57-06-21, 57-08-01, and 57-33.2-06 of the North Dakota Century Code, relating to the review of public utility assessments and public utility and electric generation, distribution, and transmission reports received by county auditors; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Cook, Dotzenrod and Rep. B. Koppelman introduced:

SB 2351: A BILL for an Act to amend and reenact paragraph 4 of subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm home residence property tax exemption and an open records exemption for documents evidencing eligibility for the exemption; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Dotzenrod, Heckaman introduced:

SB 2352: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to a long-term care surtax on income; to amend and reenact section 57-38-55 of the North Dakota Century Code, relating to the disposition of long-term care surtax revenue; to provide an effective date; and to provide an expiration date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. J. Lee, Burckhard, Heckaman and Reps. Nathe, J. Nelson, Sanford introduced:

SB 2353: A BILL for an Act to create and enact chapter 43-63 of the North Dakota Century Code, relating to uniform regulation of occupations and professions; to amend and reenact subsection 4 of section 54-10-01 and section 54-10-27 of the North Dakota Century Code, relating to duties of the state auditor; to provide a penalty; to provide for a legislative management study; and to provide an effective date.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sen. Heckaman introduced:

SB 2354: A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota Century Code, relating to restoration of real property as a measure of damages.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Bekkedahl, Kannianen, Oehlke and Reps. Keiser, J. Nelson, Sanford introduced:

SB 2355: A BILL for an Act to amend and reenact subsection 4 of section 51-32-04, sections 57-36-01, 57-36-02, 57-36-03, 57-36-04, 57-36-05, 57-36-05.1, 57-36-09, 57-36-09.1, 57-36-14, 57-36-24, 57-36-25, 57-36-26, 57-36-28, 57-36-29, 57-36-31, and 57-36-33 of the North Dakota Century Code, relating to tobacco product remote sale disclosure requirements and the excise tax on cigarettes and tobacco products; to repeal sections 57-36-06, 57-36-27, and 57-36-32 of the North Dakota Century Code, relating to taxation of cigarettes; to provide a penalty; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Oban, Dever, Unruh and Reps. Beadle, Boschee, Martinson introduced:

SB 2356: A BILL for an Act to amend and reenact sections 16.1-07-09, 16.1-07-10, 16.1-07-12, and 16.1-11.1-07, and subsection 7 of section 16.1-16-01 of the North Dakota Century Code, relating to signature discrepancies on absent and mail voters' applications and ballots.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Heckaman, Wardner and Reps. Boschee, Pollert introduced:

SB 2357: A BILL for an Act to provide for Bank of North Dakota loans for federal workers affected by the federal shutdown; and to declare an emergency.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Wanzek, Dotzenrod, Luick and Rep. Pollert introduced:

SB 2358: A BILL for an Act to amend and reenact section 61-01-06 of the North Dakota Century Code, relating to the definition of a watercourse.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Kannianen, Burckhard, J. Roers and Reps. Kempenich, Schmidt, Vigesaa introduced:

SB 2359: A BILL for an Act to amend and reenact sections 43-09-01, 43-09-05, 43-09-09, 43-09-09.2, 43-09-10, 43-09-11, 43-09-12, 43-09-13, 43-09-13.1, 43-09-13.2, 43-09-15, 43-09-15.1, 43-09-16, 43-09-18, 43-09-20, 43-09-21, 43-09-22, 43-09-23, and 43-09-25 of the North Dakota Century Code, relating to the regulation of electricians and power limited technicians; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Dotzenrod, Erbele, Wanzek and Reps. Holman, J. Nelson introduced:

SB 2360: A BILL for an Act to amend and reenact subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the calculation of income for purposes of the farm residence property tax exemption; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Anderson, Mathern and Rep. J. Nelson introduced:

SB 2361: A BILL for an Act to create and enact subsection 8 of section 43-41-11 and three new sections to chapter 43-41 of the North Dakota Century Code, relating to the licensing of social workers; to amend and reenact sections 43-41-01, subsection 2 of section 43-41-02, subsection 1 of section 43-41-03, and sections 43-41-04, 43-41-05, 43-41-08, 43-41-10, and 43-41-12, of the North Dakota Century Code, relating to the licensing of social workers; and to provide an effective date.

Was read the first time and referred to the **Human Services Committee**.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. J. Lee, Clemens, Dever, Oban and Reps. Meier, Mock introduced:

SCR 4007: A concurrent resolution urging Congress and the Food and Drug Administration to end the marketing and advertising of e-cigarettes to youth.

Was read the first time and referred to the **Human Services Committee**.

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

Shanda Morgan, Secretary

