

JOURNAL OF THE SENATE

Sixty-sixth Legislative Assembly

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Bismarck, February 27, 2019

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

The prayer was offered by Sister Anna Rose Ruhland, St. Vincents Care Center, Bismarck.

The roll was called and all members were present except Senators Bekkedahl and Osland.

A quorum was declared by the President.

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 1019, HB 1021, HB 1165, HB 1210, HB 1254, HB 1286, HB 1365, HB 1383, HB 1526.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1194, HB 1349, HB 1435, HB 1521.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Anderson, Chairman)** has carefully examined the Journal of the Twenty-sixth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 514, line 5, replace "HCR 3004" with "HCR 3001"

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

MOTION

SEN. KLEIN MOVED that Senate Rule 347 be amended, replacing "thirty-fourth and thirty-fifth legislative days" with "thirty-third legislative day", which motion prevailed.

MOTION

SEN. KLEIN MOVED that HB 1336 be returned to the Senate floor from the **Human Services Committee** and be rereferred to the **Judiciary Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, HB 1336 was rereferred.

MOTION

SEN. KLEIN MOVED that HB 1382 and HB 1469 be returned to the Senate floor from the **Industry, Business and Labor Committee** and be rereferred to the **Human Services Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, HB 1382 and HB 1469 were rereferred.

MOTION

SEN. KLEIN MOVED that HB 1196 be returned to the Senate floor from the **Transportation Committee** and be rereferred to the **Finance and Taxation Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, HB 1196 was rereferred.

CONSIDERATION OF AMENDMENTS

HB 1082, as engrossed: SEN. D. LARSON (Judiciary Committee) MOVED that the amendments on SJ page 775 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1074, as engrossed: SEN. DWYER (Judiciary Committee) MOVED that the amendments on SJ page 774 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 1087: A BILL for an Act to amend and reenact section 61-16.1-38 of the North Dakota Century Code, relating to a permit to construct or modify a dam, dike, or other device.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

NAYS: Lee, J.

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1087 passed.

SECOND READING OF HOUSE BILL

HB 1028: A BILL for an Act to create and enact chapter 26.1-36.6 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employees retirement system self-insurance plans for health benefits coverage; to amend and reenact sections 26.1-07.1-01, 54-52.1-01, 54-52.1-04, 54-52.1-04.2, 54-52.1-04.3, 54-52.1-05, and 54-52.1-11 of the North Dakota Century Code, relating to public employee uniform group health benefits coverage; to repeal sections 54-52.1-04.4, 54-52.1-04.5, 54-52.1-04.6, 54-52.1-04.10, 54-52.1-04.11, 54-52.1-04.12, 54-52.1-04.13, and 54-52.1-04.14 of the North Dakota Century Code, relating to public employees retirement system self-insurance plans for health benefits coverage mandated health benefits; and to declare an emergency.

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 37 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bakke; Grabinger; Heckaman; Krebsbach; Lee, J.; Marcellais; Mathern; Roers, K.

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1028 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1039: A BILL for an Act to amend and reenact section 12.1-04-01 of the North Dakota Century Code, relating to culpability of a juvenile.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1039 passed.

SECOND READING OF HOUSE BILL

HB 1085: A BILL for an Act to amend and reenact section 61-34-04 of the North Dakota Century Code, relating to the drought disaster livestock water assistance program; and to declare an emergency.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

Engrossed HB 1085 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1041: A BILL for an Act to amend and reenact section 57-02-08.3 of the North Dakota Century Code, relating to the homestead tax credit for special assessments; to provide for application; and to provide an effective date.

ROLL CALL

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

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

Engrossed HB 1041 passed.

SECOND READING OF HOUSE BILL

HB 1083: A BILL for an Act to amend and reenact subsection 1 of section 57-38.3-02 of the North Dakota Century Code, relating to setoff of income tax refund for debts owed to the state; and to provide an effective date.

ROLL CALL

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

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1083 passed.

SECOND READING OF HOUSE BILL

HB 1068: A BILL for an Act to repeal sections 27-04-01, 27-04-03, 27-04-04, 27-04-06, 27-04-07, and 27-04-08 of the North Dakota Century Code, relating to appointment of the supreme court reporter, the salary of the supreme court reporter, the location of the office of the supreme court reporter, duties of the supreme court reporter, and the sale and disposal of books and other library materials by the supreme court reporter.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1068 passed.

SECOND READING OF HOUSE BILL

HB 1070: A BILL for an Act to amend and reenact subsection 2 of section 27-20-49 of the North Dakota Century Code, relating to the payment of witness fees, mileage, and travel expenses in juvenile court.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1070 passed.

SECOND READING OF HOUSE BILL

HB 1072: A BILL for an Act to create and enact a new subsection to section 65-04-27.2 of the North Dakota Century Code, relating to cease and desist orders; to amend and reenact section 65-01-02, subsection 4 of section 65-01-08, sections 65-01-10, 65-04-04, 65-04-06, 65-04-19, 65-04-22, 65-04-24, and 65-04-26.2, subsection 3 of section 65-04-32, section 65-04-33, and subsection 1 of section 65-09-01 of the North Dakota Century Code, relating to definitions, the removal of the word "annual", off-setting premiums, the organizational seal, payroll reports, payment of premiums, premiums in default, notice of premium owing, liability of a general contractor, notices of decision, noncompliance of employers, and liability of uninsured employers; to repeal section 65-06.2-09 of the North Dakota Century Code, relating to safety and performance reviews; to provide a penalty; and to provide for an application.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1072 passed.

SECOND READING OF HOUSE BILL

HB 1076: A BILL for an Act to amend and reenact section 12-46-13 of the North Dakota Century Code, relating to placement of offenders at the North Dakota youth correctional center.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Larsen, O.

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1076 passed.

SECOND READING OF HOUSE BILL

HB 1091: A BILL for an Act to amend and reenact sections 37-17.1-02.1 and 37-17.1-02.2 of the North Dakota Century Code, relating to the operations of the department of emergency services.

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 45 YEAS, 0 NAYS,

0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1091 passed.

SECOND READING OF HOUSE BILL

HB 1075: A BILL for an Act to amend and reenact sections 26.1-44-02, 26.1-44-03.1, 26.1-44-03.2, 26.1-44-06, 26.1-44-06.1, and 26.1-44-08 of the North Dakota Century Code, relating to surplus lines insurance; and to declare an emergency.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1075 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1069: A BILL for an Act to amend and reenact section 54-61-04 of the North Dakota Century Code, relating to confidentiality provisions applicable to the commission on legal counsel for indigents.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

Engrossed HB 1069 passed.

SECOND READING OF HOUSE BILL

HB 1080: A BILL for an Act to amend and reenact section 54-59-20 of the North Dakota Century Code, relating to criminal history background checks for contract employees of the information technology department.

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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Grabinger; Heckaman; Hogan

ABSENT AND NOT VOTING: Bekkedahl; Osland

Engrossed HB 1080 passed.

SECOND READING OF HOUSE BILL

HB 1093: A BILL for an Act to create and enact section 39-04-14.4 of the North Dakota Century Code, relating to motorcycle registration renewals; and to amend and reenact section 39-04-14, subsection 2 of section 39-04-19 and section 39-28-01 of the North Dakota Century Code, relating to motorcycle registration.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

Engrossed HB 1093 passed.

SECOND READING OF HOUSE BILL

HB 1094: A BILL for an Act to amend and reenact section 39-04-10.3 of the North Dakota Century Code, relating to personalized plates for motor vehicles.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

Engrossed HB 1094 passed.

SECOND READING OF HOUSE BILL

HB 1084: A BILL for an Act to create and enact a new section to chapter 25-06 and a new section to chapter 25-07 of the North Dakota Century Code, relating to criminal history record checks; and to amend and reenact paragraph 5 of subdivision x of

subsection 2 of section 12-60-24 and paragraph 5 of subdivision y of subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks.

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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Davison; Hogan; Oehlke

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1084 passed.

SECOND READING OF HOUSE BILL

HB 1081: A BILL for an Act to amend and reenact subsection 1 of section 4.1-19-01 and section 4.1-19-06 of the North Dakota Century Code, relating to the definition and sale of eggs.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; 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; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Bekkedahl; Osland

HB 1081 passed.

MOTION

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

MOTION

SEN. KLEIN MOVED that the Senate be on the Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, February 28, 2019, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1095: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1095 was placed on the Sixth order on the calendar.

Page 1, line 1, after "37-29-01" insert "and subsection 3 of section 37-29-03"

Page 1, line 2, after "of" insert "discrimination against"

Page 1, after line 9, insert:

"SECTION 2. AMENDMENT. Subsection 3 of section 37-29-03 of the North Dakota Century Code is amended and reenacted as follows:

3. Except for an involuntarily activated ~~North Dakota~~ national guard member, subsection 1 does not apply if due to serving as a volunteer emergency responder, the employee is absent or tardy from the employee's place of employment for a period that exceeds twenty regular working days in a calendar year."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1098: Transportation Committee (Sen. Rust, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1098 was placed on the Sixth order on the calendar.

Page 1, line 2, after "licenses" insert "; and to amend and reenact subdivision b of subsection 6 of section 39-06.2-07 of the North Dakota Century Code, relating to commercial learner's permits"

Page 1, after line 9, insert:

"SECTION 2. AMENDMENT. Subdivision b of subsection 6 of section 39-06.2-07 of the North Dakota Century Code is amended and reenacted as follows:

- b. The commercial learner's permit may not be issued for a period to exceed one hundred eighty days. ~~The commercial learner's permit may be renewed for an additional one hundred eighty days without requiring the individual to retake the knowledge test year.~~ After this initial period, the director may issue a letter of authority that authorizes the applicant to drive to a driver's license office, complete the road test, and return home, or the individual may retake the knowledge test and be issued another commercial learner's permit valid for one ~~hundred eighty days~~ year. The holder of a permit, unless otherwise disqualified, may drive a commercial motor vehicle only when accompanied by the holder of a commercial driver's license valid for the type of vehicle driven who occupies a seat beside the individual for the purpose of giving instruction in driving the commercial motor vehicle. A holder of a permit is not eligible for a license until that individual has had the permit issued for at least fourteen days."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1100, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1100 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1103, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1103 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1109: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1109 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1110, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1110 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1112: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1112 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1113, as engrossed and amended: Judiciary Committee (Sen. D. Larson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1113, as amended, was placed on the Sixth order on the calendar.

Page 1, line 17, replace "section 4.1-18-01" with "title 4.1"

Page 7, line 23, replace "by section 4.1-18-01" with "in title 4.1"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1116, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1116 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1118: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1118 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1183: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1183 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1204: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1204 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1214, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1214 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1242: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1242 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1244: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1244 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1276, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1276 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1344: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1344 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3032: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).

HCR 3032 was placed on the Fourteenth order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1019: A BILL for an Act to provide an appropriation for defraying the expenses of the state board for career and technical education; to create and enact sections 15-20.1-26 and 15-20.1-27 of the North Dakota Century Code, relating to the meetings, compensation, powers, and duties of the educational technology council; to amend and reenact section 15-19-06 of the North Dakota Century Code, relating to the center for distance education operating fund; and to repeal sections 54-59-17 and 54-59-18 of the North Dakota Century Code, relating to the meetings, compensation, powers, and duties of the educational technology council.

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

HB 1021: A BILL for an Act to provide an appropriation for defraying the expenses of the information technology department; and to provide a report.

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

HB 1165: A BILL for an Act to create and enact sections 11-33-17.1, 40-47-05.1, and 58-03-14.1 of the North Dakota Century Code, relating to nonconforming structures.

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

HB 1194: A BILL for an Act to create and enact section 50-24.1-40 of the North Dakota Century Code, relating to medical assistance tribal health care coordination agreements; to amend and reenact section 50-24.1-37 of the North Dakota Century Code, relating to Medicaid expansion; to provide for a report to the legislative management; to provide a continuing appropriation; and to declare an emergency.

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

HB 1210: A BILL for an Act to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to special elections for property owners in a proposed extraterritorial zoning area.

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

HB 1254: A BILL for an Act to create and enact section 53-06.1-10.3 of the North Dakota Century Code, relating to the authorization of sports betting as a game of chance; and to amend and reenact sections 53-06.1-03 and 53-06.1-12 of the North Dakota Century Code, relating to authorization of sports betting as a game of chance and the gaming tax imposed on games of chance.

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

HB 1286: A BILL for an Act to create and enact section 19-03.1-36.8 of the North Dakota Century Code, relating to law enforcement agencies reporting seizures and forfeitures; and to amend and reenact sections 19-03.1-36.2, 19-03.1-36.6, 19-03.1-36.7, 29-27-02.1, and subsection 1 of section 54-12-14 of the North Dakota Century Code, relating to forfeiture proceedings, contested forfeiture hearings, legal interests in forfeited property, disposition of statutory fees, fines, forfeitures, and the attorney general assets forfeiture fund.

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

HB 1349: A BILL for an Act to create and enact chapter 4.1-18.1 of the North Dakota Century Code, relating to the regulation of hemp; to amend and reenact subdivision b of subsection 2 of section 12-60-24, and subsection 22 of section 19-24.1-01 of the North Dakota Century Code, relating to criminal history background checks and the definition of marijuana; to repeal chapter 4.1-18 of the North Dakota Century Code, relating to the regulation of industrial hemp; to provide a penalty; to provide a continuing appropriation; and to declare an emergency.

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

HB 1365: A BILL for an Act to amend and reenact section 15.1-27-04.1 of the North Dakota Century Code, relating to state foundation aid payments to school districts.

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

HB 1383: A BILL for an Act to create and enact a new section to chapter 4.1-01, a new section to chapter 49-22, and a new section to chapter 49-22.1 of the North Dakota Century Code, relating to the creation of an environmental impact mitigation fund

and to mitigating direct environmental impacts; to amend and reenact subsection 1 of section 4.1-01-18, sections 49-22-05.1, 49-22-09, 49-22.1-03, and 49-22.1-09 of the North Dakota Century Code, relating to the federal environmental law impact review committee, exclusion and avoidance areas and the factors considered by the public service commission when evaluating and designating sites, corridors, and routes; to provide for a report to the budget section; to provide an appropriation; and to provide a continuing appropriation.

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

HB 1435: A BILL for an Act to amend and reenact sections 37-17.3-02, 37-17.3-02.2, and 37-17.3-03 of the North Dakota Century Code, and section 10 of chapter 247 of the 2017 Session Laws, relating to the governance, purchase, financing, and operation of the statewide interoperable radio network; to provide for a legislative management study; to provide an appropriation; and to declare an emergency.

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

HB 1521: A BILL for an Act to create and enact a new section to chapter 16.1-08.1 and chapter 54-66 of the North Dakota Century Code, relating to reporting campaign contributions and expenditures, restrictions on public officials and lobbyists, investigations of ethics violations, and implementing requirements of article XIV of the Constitution of North Dakota; to amend and reenact section 16.1-08.1-01, subsection 4 of section 16.1-08.1-02.1, sections 16.1-08.1-02.3, 16.1-08.1-02.4, 16.1-08.1-03.1, 16.1-08.1-04.1, 28-32-01, 28-32-02, 28-32-03, 28-32-06, 28-32-07, 28-32-08, 28-32-08.1, 28-32-08.2, 28-32-09, 28-32-10, 28-32-11, 28-32-12, 28-32-14, 28-32-15, 28-32-16, 28-32-17, 28-32-18, and 28-32-18.1, subsections 2 and 4 of section 28-32-19, and sections 28-32-27, 28-32-47, 28-32-48, and 28-32-49 of the North Dakota Century Code, relating to rulemaking procedures, disqualification of agency heads in quasi-judicial proceedings, implementing article XIV of the Constitution of North Dakota, and requirements for the North Dakota ethics commission; to provide for a penalty; to provide an appropriation; to provide an effective date; to provide an expiration date; and to declare an emergency.

Was read the first time and referred to the **Special Committee on Ethics**.

HB 1526: A BILL for an Act to amend and reenact section 16.1-11-22 of the North Dakota Century Code, relating to the form of a primary election ballot.

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

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

Shanda Morgan, Secretary