

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

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**Bismarck, March 12, 2019**

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

The prayer was offered by Pastor Bobby GrayEagle, Prairie Family Church, Bismarck.

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

A quorum was declared by the President.

**POINT OF PERSONAL PRIVILEGE**

**SEN. POOLMAN** rose on a point of personal privilege.

**REMARKS OF SENATOR POOLMAN**

**MR. PRESIDENT:** It is my honor to congratulate the Century Patriot Girls' Basketball team on winning their second consecutive state title this weekend in Bismarck. Junior Lauren Ware was named Gatorade Player of the Year for basketball (an award she was also given for volleyball, by the way) and she led all scorers with 26 points and 15 rebounds. Ware was also named the Class A Girls Tournament MVP.

Senior Lilly Keplin finished with 20 points in her final game as a Patriot (she will be playing for the University of North Dakota next year because she makes good choices) and was a finalist for Miss Basketball.

Junior Chloe Marchovic joined both Lily and Lauren as members of the All-Tournament Team.

The Century Patriots have also won state championships this year in volleyball and girls' golf. The Bismarck Blizzard won their fifth straight state title in girls' hockey. We came in second in swimming and football. Third in basketball and hockey.

We had SIX students named to the Academic All-State team: Carly Palmer, Olyvia Bender, Ryan Anderson, Doug Welsch, Luke Murdoff, and Evan Dramko.

Century also took the state title in this year's We the People competition - which means the Patriots also happen to know the most about the United States Constitution, Mr. President! Their team is headed to nationals in Washington, DC this spring.

I do understand that some members of this Assembly believe they live in title town. I'm not going to make that declaration, Mr. President, because I think the facts I have outlined here speak for themselves.

But before I sit down, it is important to know that these Patriots are not only successful athletes, they are excellent students, and great people. I know this because I am lucky enough to be their teacher.

Congratulations to Century on all their success this year! Mr. President - today and every day - it's a great day to be a Patriot.

**MOTION**

**SEN. KLEIN MOVED** that the remarks of Sen. Poolman be printed in the Journal, which motion prevailed.

**POINT OF PERSONAL PRIVILEGE**

**SEN. DWYER** rose on a point of personal privilege.

**REMARKS OF SENATOR DWYER**

**MR. PRESIDENT:** Before I begin, as you know, I like to talk about special basketball teams. but first I want to thank the good Senators from District 5 and 25 last week, and the good Senators from District 12 and 29 yesterday, and my fellow Senator from Bismarck for the example in how to go on the 4th Order to extol the achievements of a particular team.

Bismarck Century is in my legislative district, as are a good share of the students who attend Century. So I rise with an extra degree of pride to second the remarks of the Senator from District 7, but to also let the Chamber know that Bismarck Century Girls' Basketball team was state champions in 2018. This is their second championship in a row, a feat they also achieved in 2012 and 2013.

Mr President, there may be multiple towns who claim to be title town, but Bismarck Century girls' basketball team has earned our community the distinction of being the town with titles.

Thank you.

**MOTION**

**SEN. KLEIN MOVED** that the remarks of Sen. Dwyer be printed in the Journal, which motion prevailed.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Mock, D. Anderson, C. Johnson, Vetter and Sens. Meyer, Vedaa introduced:  
(Approved by the Delayed Bills Committee)

**HCR 3057:** A concurrent resolution to recognize and congratulate the North Dakota Mill and Elevator Association on its 100th anniversary.  
Was read the first time.

**MOTION**

**SEN. KLEIN MOVED** that the rules be suspended, that HCR 3057 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Reps. Mock, D. Anderson, C. Johnson, Vetter and Sens. Meyer, Vedaa introduced:  
(Approved by the Delayed Bills Committee)

**HOUSE CONCURRENT RESOLUTION NO. 3057**

A concurrent resolution to recognize and congratulate the North Dakota Mill and Elevator Association on its 100<sup>th</sup> anniversary.

**WHEREAS**, the North Dakota Industrial Commission was established with the passage of House Bill No. 17 on February 25, 1919, comprised of the Governor, Attorney General, and Commissioner of Agriculture and Labor, and was designated as the manager of certain utilities, industries, enterprises and business projects on behalf of North Dakota; and

**WHEREAS**, the North Dakota Mill and Elevator Association was established with the passage of Senate Bill No. 20 on February 25, 1919, as a result of a long battle waged by farmers and progressives in an attempt to break the grain trade monopoly, have some control over pricing and grading of grain and for the purpose of encouraging and promoting agriculture, commerce, and industry; and

**WHEREAS**, the North Dakota Industrial Commission began the experiment of a state-owned mill in 1919 with the purchase of a small flour mill in Drake, North Dakota, with a daily capacity of 125 barrels per day; and

**WHEREAS**, on October 21, 1919, A. C. Townsley, founder and president of the Nonpartisan League, announced the State Mill and Elevator would be built in Grand Forks on land donated by the city; and

**WHEREAS**, at 11:00 a.m. on October 30, 1922, the first electronic mills of the State Mill and Elevator were turned on by Governor R. A. Nestos at the grand opening ceremony in front of 2,500 guests; and

**WHEREAS**, on July 28, 1970, a severe fire engulfed the top floors of the State Mill and Elevator, resulting in an 18-month suspension of operations while the building was salvaged and repaired; and

**WHEREAS**, on January 31, 1972, Governor William Guy presided over a rededication of the State Mill and Elevator which allowed operations to resume; and

**WHEREAS**, the State Mill and Elevator began with a daily production of 3,000 barrels per day in 1922 and grew into the largest flour mill in the United States, the 7<sup>th</sup> largest wheat

milling company in the United States, and the only state-owned mill and elevator in the United States; and

**WHEREAS**, the State Mill and Elevator grinds 33 million bushels of top quality spring wheat and durum per year and has the capacity to store 5 million bushels of grain; and

**WHEREAS**, the State Mill and Elevator ships "Dakota Maid" products nationwide and exports flour to customers throughout the Caribbean Islands and the Pacific Rim, and emphasizes plant and food safety, product quality, and customer service; and

**WHEREAS**, the employees organized a local union under the American Federation of Grain Millers in the late 1940s, which merged and became the Bakery, Confectionery, Tobacco Workers and Grain Millers Local 167G in 1999; and

**WHEREAS**, the State Mill and Elevator remains a national leader in safety and efficiency of operations thanks to regular training and a commitment to quality of service by workers and management alike; and

**WHEREAS**, in fiscal year 2018, the State Mill and Elevator reported a direct economic impact to the region of \$255 million and a secondary economic impact of \$592 million; and

**WHEREAS**, for more than 80 years the State Mill and Elevator has turned regular profits and contributed surplus funds to the general fund to benefit the lives of all North Dakotans; and

**WHEREAS**, the State Mill and Elevator is a North Dakota fixture that makes a strong contribution to the economy of our state; and

**WHEREAS**, we honor the North Dakota Mill and Elevator Association for its 100 years of service and thank the State Mill and Elevator's current and past hardworking employees for their ongoing dedication to achieving continuous improvement and their commitment to fulfilling the State Mill and Elevator's mission;

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

That the Sixty-sixth Legislative Assembly recognizes and congratulates the North Dakota Mill and Elevator Association on its 100<sup>th</sup> anniversary; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to members of the North Dakota Industrial Commission, manager of the State Mill, President of the Bakery, Confectionery, Tobacco Workers and Grain Millers International Union, and members of the North Dakota Congressional Delegation.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3057:** A concurrent resolution to recognize and congratulate the North Dakota Mill and Elevator Association on its 100th anniversary.

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

HCR 3057 was declared adopted on a voice vote.

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#### **CONSIDERATION OF AMENDMENTS**

**HB 1195, as engrossed: SEN. J. ROERS (Industry, Business and Labor Committee)** **MOVED** that the amendments on SJ page 896 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 1515:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance coverage for pregnant women; and to provide an availability date.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 35 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bakke; Bekkedahl; Burckhard; Davison; Dever; Dotzenrod; Dwyer; Erbele; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Klein; Krebsbach; Kreun; Larson, D.; Lee, J.; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Anderson; Clemens; Cook; Elkin; Fors; Kannianen; Larsen, O.; Lee, G.; Luick;

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**ABSENT AND NOT VOTING:** Myrdal; Osland

Engrossed HB 1515 passed.

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#### **MOTION**

**SEN. KLEIN MOVED** that Engrossed HB 1515 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1515 was rereferred.

#### **SECOND READING OF HOUSE BILL**

**HB 1137:** A BILL for an Act to create and enact two new sections to chapter 26.1-02 of the North Dakota Century Code, relating to electronic delivery of insurance notices and documents; and to repeal section 26.1-39-26 of the North Dakota Century Code, relating to electronic delivery of property and casualty insurance notices and documents.

#### **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; 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; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Osland

Engrossed HB 1137 passed.

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#### **SECOND READING OF HOUSE BILL**

**HB 1138:** A BILL for an Act to amend and reenact subsection 2 of section 26.1-02-27 of the North Dakota Century Code, relating to annual privacy notices.

#### **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; 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; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Osland

Engrossed HB 1138 passed.

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#### **SECOND READING OF HOUSE BILL**

**HB 1034:** A BILL for an Act to require the department of human services to establish guidelines for long-term care services providers to deliver home and community-based 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; 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; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Osland

HB 1034 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1142:** A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota Century Code, relating to interpretation of the state's insurance laws.

**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; 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; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Osland

HB 1142 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1107:** A BILL for an Act to amend and reenact subsection 1 of section 50-10.1-03, section 50-25.2-02, subsection 1 of section 50-25.2-03, section 50-25.2-04, subsection 1 of section 50-25.2-05, and sections 50-25.2-12, 50-25.2-13, and 50-25.2-14 of the North Dakota Century Code, relating to the duties of the state long-term care ombudsman and vulnerable adult protective 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; 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; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Osland

HB 1107 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1139:** A BILL for an Act to create and enact section 26.1-02-31 of the North Dakota Century Code, relating to confidentiality of insurance department records; and to amend and reenact section 26.1-02-30 of the North Dakota Century Code, relating to confidentiality of consumer assistance records.

**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; 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; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Osland

HB 1139 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1355:** A BILL for an Act to amend and reenact sections 23-09.3-01.1 and 23-16-01.1 of the North Dakota Century Code, relating to the moratorium on basic care and nursing facility bed capacity.

**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; Bekkedahl; Burckhard; Clemens; 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; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Cook

**ABSENT AND NOT VOTING:** Myrdal; Osland

Engrossed HB 1355 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1140:** A BILL for an Act to amend and reenact subsections 3 and 4 of section 26.1-39-11 and subsections 4 and 5 of section 26.1-40-01 of the North Dakota Century Code, relating to the renewal of an insurance policy with altered terms.

**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; 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; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa;

Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Osland

HB 1140 passed.

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### **SECOND READING OF HOUSE BILL**

**HB 1181:** A BILL for an Act to create and enact chapter 26.1-57 of the North Dakota Century Code, relating to the regulation of guaranteed asset protection waivers; to provide a penalty; and to provide for 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 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; 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; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Dever

**ABSENT AND NOT VOTING:** Myrdal; Osland

Engrossed HB 1181 passed.

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### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3044:** A concurrent resolution directing the Legislative Management to consider studying, in consultation with the Department of Commerce, Department of Human Services, and the private sector, the desirability and feasibility of developing and expanding asset-building opportunities, including a review of state and federal policies associated with government assistance which impede or improve low-income workers' ability to earn more income.

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

HCR 3044 was declared adopted on a voice vote.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1036, HB 1037, HB 1198, HB 1288.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1335.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1064, HB 1251.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1180, HB 1447.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2063, SB 2068, SB 2074, SB 2077, SB 2118, SB 2143, SB 2246, SB 2253, SB 2272, SB 2350.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2036.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2036**

Page 1, line 5, after the second comma insert "subsection 5 of section 53-06.1-06,"

Page 8, after line 30, insert:

**"SECTION 9. AMENDMENT.** Subsection 5 of section 53-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

5. A person is restricted from being involved in gaming and the attorney general shall conduct a criminal history record check as follows:
  - a. (1) A person who has pled guilty to or been found guilty of a felony offense as defined by the laws of this state, other states, or the federal government, or has pled guilty to or been found guilty of a violation of this chapter, a gaming rule, chapter 12.1-28 or 53-06.2, or offenses of other states or the federal government equivalent to offenses defined in these chapters, regardless of whether the person has completed or received a deferred imposition of sentence, ~~deferred prosecution~~, or suspended sentence, may not be a licensed distributor, be an investor in or board member or consultant to a licensed distributor, or be employed by a licensed distributor, and may not be employed by a licensed organization to conduct games, for five years from the date of conviction, release from incarceration, or expiration of parole or probation, whichever is the latest.
  - (2) Paragraph 1 does not apply if the offense to which the person pled guilty or has been found guilty is a misdemeanor and the person has received a deferred imposition of sentence ~~or deferred prosecution~~ and has fully complied with the terms of the deferral.
  - b. A person who has pled guilty to or been found guilty of a misdemeanor offense in violation of section 6-08-16.1 or chapter 12.1-06, 12.1-23, or 12.1-24 or offenses of other states, the federal government, or a municipality equivalent to these offenses, regardless if the person has completed or received a suspended sentence, may not be a licensed distributor or be employed by a licensed distributor, and may not be employed by a licensed organization to conduct games, for two years from the date of conviction, release from incarceration, or expiration of parole or probation, whichever is the latest, unless the person has received a deferred imposition of sentence ~~or deferred prosecution~~ and has fully complied with the terms of the deferral.
  - c. Unless an employee is exempt by the gaming rules or attorney general, the attorney general shall conduct a criminal history record check of each employee of a licensed organization or distributor and charge a fee prescribed by section 12-60-16.9. The fee may be waived by the attorney general if a federal agency or local law enforcement agency has done a record check. The attorney general may require advance payment of any additional fee necessary to pay the cost of a record check of a person for whom adequate background information sources are not readily available. The advance payment must be placed in the attorney general's refund fund. The unused funds must be returned to the person within thirty days of the conclusion of the record check. Unless a federal or local law enforcement agency conducts the record check, the attorney general shall notify the organization or distributor and person of the result. The attorney general shall keep the information confidential



except in the proper administration of this chapter or any gaming rule or to provide to an authorized law enforcement agency."

Renumber accordingly

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2263.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2066, SB 2075, SB 2093, SB 2098, SB 2191, SB 2235, SB 2283.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2066, SB 2075, SB 2093, SB 2098, SB 2191, SB 2235, SB 2283.

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

**MR. SPEAKER:** The President has signed: SB 2066, SB 2075, SB 2093, SB 2098, SB 2191, SB 2235, SB 2283.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1038, HB 1051, HB 1062, HB 1073, HB 1088, HB 1120, HB 1188, HB 1240, HB 1376, HB 1498.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 12, 2019: SB 2066, SB 2075, SB 2093, SB 2098, SB 2191, SB 2235, SB 2283.

**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., Wednesday, March 13, 2019, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1033: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1033 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 create and enact a new section to chapter 50-24.7 of the North Dakota Century Code, relating to an expanded service payments for elderly and disabled pilot project on intensive care coordination.

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

**SECTION 1.** A new section to chapter 50-24.7 of the North Dakota Century Code is created and enacted as follows:

**Intensive care coordination - Pilot project.**

The department may establish an intensive care coordination pilot project under the home and community-based service options for older adults and individuals with physical disabilities."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1105: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1105 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1161, as engrossed: 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). Engrossed HB 1161 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "false" with "inaccurate"

Page 1, line 3, remove "deceive,"

Page 1, line 3, remove ", or mislead"

Page 1, line 7, replace "**deception**" with "**fraud**"

Page 1, line 8, after "not" insert "in connection with any telecommunications service or internet protocol enabled voice service, knowingly cause any telephone caller identification system to"

Page 1, line 9, remove "Enter false information, or cause false information to be entered, into a telephone"

Page 1, remove line 10

Page 1, line 11, replace "recipient of a call" with "Transmit misleading or inaccurate caller identification information with the intent to defraud or cause harm"

Page 1, line 12, remove "Place a call knowing false information was entered into the telephone caller"

Page 1, remove line 13

Page 1, line 14, replace "of the call" with "Use or display a telephone number the caller does not own or has not received consent to use from the owner of the telephone number"

Page 1, line 18, remove the second "or"

Page 1, line 21, replace the underscored period with ":

e. Activity engaged in under a court order that specifically authorizes the use of caller manipulation; or

f. A caller who, based on the telephone number called, reasonably believes the recipient of the call is not physically within the state."

Page 2, line 21, remove "\"Enter\" means to input data into a computer or telephone system."

Page 2, remove lines 22 through 25

Page 2, line 26, replace "e." with "\"Defraud\" means taking anything of value, including money, property, or time, without consent from the recipient of a call.

d."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1162: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **DO NOT PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1162 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1172: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1172 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1234, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1234 was placed on the Sixth order on the calendar.

Page 1, line 10, after the semicolon insert "the bureau of Indian affairs police; federal law enforcement officers;"

Page 1, line 13, remove "The term does not include the bureau of Indian affairs police"

Page 1, remove lines 14 through 16

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1284: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1284 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1291: Transportation Committee (Sen. Rust, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1291 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1318, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1318 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1358, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **DO NOT PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1358 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1363, as reengrossed: Government and Veterans Affairs Committee (Sen. Davison, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1363 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1393, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1393 was placed on the Sixth order on the calendar.

Page 2, line 26, replace "B" with "A"

Page 2, line 27, replace "B misdemeanor" with "C felony"

Page 3, line 3, replace "B misdemeanor" with "C felony"

Page 3, after line 3, insert:

"c. A class B felony for an offense under subdivision b or c of subsection 2 if the victim is under twelve years of age."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1395, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1395 was placed

on the Sixth order on the calendar.

Page 2, line 4, replace "all treatment recommended as a result of those evaluations" with "treatment recommendations as ordered by the court as a condition of probation"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1425, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **DO PASS** (3 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1425 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1465: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1465 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1517, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1517 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "section 25-04-02.1 and"

Page 1, line 5, remove "accreditation of"

Page 1, line 6, replace "life skills and transition center and" with "the"

Page 1, remove lines 9 through 18

Page 1, remove line 22

Page 1, line 23, remove "individual who resides at the life skills and transition center."

Page 2, line 5, overstrike "contract with a team of support intensity scale assessors by"

Page 2, overstrike line 6

Page 2, line 7, overstrike "pilot group identified by the consultant contracted in subsection 2."

Page 2, line 7, remove "Assessments must"

Page 2, replace lines 8 through 10 with "conduct the standardized assessment of eligible individuals residing at the life skills and transition center."

Page 2, line 17, remove "one-on-one"

Page 2, line 18, after "**MANAGEMENT**" insert "- **SYSTEM OF SERVICES FOR INDIVIDUALS WITH AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY**"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HCR 3005: 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). HCR 3005 was placed on the Sixth order on the calendar.

Page 1, line 3, after "robocalls" insert "and "call spoofing""

Page 1, line 15, after the semicolon insert "and

**WHEREAS**, robocalls have been combined with a process called "call spoofing" in which a call appears to originate from a local, often legitimate, number to trick the call recipient into answering the call; and

**WHEREAS**, under the federal Truth in Caller ID Act, individuals are prohibited from transmitting misleading or inaccurate caller ID information with the intent to defraud, cause harm, or wrongly obtain anything of value; and

**WHEREAS**, as technology continues to evolve the number of robocalls and "call spoofing" continues to grow and although the Federal Communications Commission has initiated new policy initiatives to combat illegal robocalls and "call spoofing", more needs to be done;"

Page 1, line 22, after "robocalls" insert "and "call spoofing""

Page 1, after line 22, insert:

**"BE IT FURTHER RESOLVED**, that the Sixty-sixth Legislative Assembly urges Congress to grant additional authority to the Federal Communications Commission to allow the agency to stop unwanted robocalls and "call spoofing"; and

**BE IT FURTHER RESOLVED**, that the Federal Communications Commission is urged to educate the public on how to report illegal telephone calls; and"

Renumber accordingly

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

**Shanda Morgan, Secretary**

