

JOURNAL OF THE SENATE

Sixty-sixth Legislative Assembly

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Bismarck, March 25, 2019

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

The prayer was offered by Sister Ivo Schoch, Corpus Christi Catholic Church, Bismarck.

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

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 1037, line 31, replace "voice" with "verification"

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

MOTION

SEN. G. LEE MOVED that the Senate reconsider its action whereby HB 1035 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1035: A BILL for an Act to amend and reenact section 16.1-06-09 of the North Dakota Century Code, relating to initiated measures and election ballots.

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 34 YEAS, 11 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Bakke; Davison; Dotzenrod; Grabinger; Heckaman; Holmberg; Marcellais; Mathern; Oban; Robinson; Roers, K.

ABSENT AND NOT VOTING: Hogan

HB 1035 passed.

CONSIDERATION OF AMENDMENTS

HB 1435, as reengrossed: SEN. DAVISON (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 1051-1052 be adopted and then be **REFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Reengrossed HB 1435 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

HB 1199: SEN. DWYER (Transportation Committee) MOVED that the amendments on SJ pages 1049-1050 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 1199: A BILL for an Act to create and enact a new section to chapter 39-10 of the North Dakota Century Code, relating to platoons; to amend and reenact section 39-10-18 of the North Dakota Century Code, relating to following a motor vehicle too closely; and to provide a penalty.

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 42 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; 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; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

NAYS: Grabinger; Heckaman; Piepkorn

ABSENT AND NOT VOTING: Hogan

HB 1199, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1356: SEN. BURCKHARD (Political Subdivisions Committee) MOVED that the amendments on SJ page 1050 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 1356: A BILL for an Act to amend and reenact sections 43-19.1-28, 48-01.2-02.1, and 48-01.2-10 of the North Dakota Century Code, relating to bids, plans, and specifications for public improvements and bond thresholds.

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 39 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Davison; Dwyer; Lee, G.; Lee, J.; Mathern; Unruh

ABSENT AND NOT VOTING: Hogan

HB 1356, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1056, as engrossed: SEN. MEYER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 1049 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 1056: A BILL for an Act to provide for the display of the prisoner of war and missing in action flag on the state capitol grounds.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 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; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

NAYS: Marcellais

ABSENT AND NOT VOTING: Hogan

Engrossed HB 1056, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1533, as engrossed: SEN. COOK (Finance and Taxation Committee) MOVED that the amendments on SJ page 1052 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 1533: A BILL for an Act to provide for a legislative management study of charitable gaming laws.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 38 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Clemens; Dever; Dwyer; Larsen, O.; Larson, D.; Marcellais; Myrdal

ABSENT AND NOT VOTING: Hogan

Engrossed HB 1533, as amended, passed.

MOTION

SEN. KLEIN MOVED that HB 1254 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

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.

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 7 YEAS, 38 NAYS,

0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Davison; Grabinger; Holmberg; Meyer; Poolman; Roers, K.; Unruh

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

ABSENT AND NOT VOTING: Hogan

Engrossed HB 1254 failed.

SECOND READING OF HOUSE BILL

HB 1364: A BILL for an Act to create and enact a new subsection to section 19-24.1-36 of the North Dakota Century Code, relating to health council rules regulating edible medical marijuana products; to amend and reenact section 19-24.1-01 of the North Dakota Century Code, relating to edible medical marijuana products; and to declare an emergency.

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 28 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Bekkedahl; Burckhard; Davison; Dever; Dotzenrod; Grabinger; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Lee, J.; Marcellais; Mathern; Meyer; Oban; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wardner

NAYS: Anderson; Clemens; Cook; Dwyer; Elkin; Erbele; Fors; Kannianen; Kreun; Larsen, O.; Larson, D.; Lee, G.; Luick; Myrdal; Oehlke; Vedaa; Wanzek

ABSENT AND NOT VOTING: Hogan

Engrossed HB 1364 failed for lack of a two-thirds majority.

SECOND READING OF HOUSE BILL

HB 1412: A BILL for an Act to amend and reenact sections 20.1-01-08 and 20.1-05-04 of the North Dakota Century Code, relating to hunting predators at night with artificial light, digital night vision, thermal vision, or infrared light.

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, 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; 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: Hogan

Engrossed HB 1412, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1366: A BILL for an Act to amend and reenact subsection 11 of section 20.1-02-05 of the North Dakota Century Code, relating to the use of a telescopic sight on a crossbow by an individual who is blind, paraplegic, or has lost the use of one or both arms.

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, 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; 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; Veda; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogan

Engrossed HB 1366, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1191: A BILL for an Act to create and enact a new section to chapter 54-10 and a new section to chapter 54-44.1 of the North Dakota Century Code, relating to the duty of the state auditor to report consecutive audit findings and the reduction of agency appropriations by the office of management and budget; to amend and reenact section 54-35-02.2 of the North Dakota Century Code, relating to the powers and duties of the legislative audit and fiscal review committee; and to provide for a report.

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

YEAS: Clemens; Cook; Klein; Larsen, O.; Larson, D.; Marcellais; Myrdal; Veda

NAYS: Anderson; Bakke; Bekkedahl; Burckhard; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Krebsbach; Kreun; Lee, G.; Lee, J.; Luick; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogan

Engrossed HB 1191, as amended, failed.

SECOND READING OF HOUSE BILL

HB 1367: A BILL for an Act to provide for a legislative management study of railroad crossings.

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, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Fors; Grabinger; Heckaman; 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; Vedaa; Wanzek; Wardner

NAYS: Erbele; Larsen, O.; Unruh

ABSENT AND NOT VOTING: Hogan

HB 1367 passed.

SECOND READING OF HOUSE BILL

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 provide for a report to the legislative management; to provide a continuing appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 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; 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: Hogan

Reengrossed HB 1194, as amended, passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1279: A BILL for an Act to amend and reenact sections 43-06-03 and 43-06-04 of the North Dakota Century Code, relating to membership of the board of chiropractic examiners; and to provide for application.

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, 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; 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: Hogan

Engrossed HB 1279, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1318: A BILL for an Act to amend and reenact sections 43-10.1-03.1 and 50-24.1-02.3 of the North Dakota Century Code, relating to Medicaid assets exempt for funeral expenses.

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, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Hogan

Engrossed HB 1318 passed.

SECOND READING OF HOUSE BILL

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.

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, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Hogan

Reengrossed HB 1349 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1377: A BILL for an Act to amend and reenact sections 43-35-03, 43-35-17, and 43-35-23 of the North Dakota Century Code, relating to state board of water well contractors and continuing education requirements for water well pump and pitless unit installers; 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 44 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; 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: Hogan

HB 1377 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1405: A BILL for an Act to create and enact a new section to chapter 39-10 and a new subdivision to subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to prohibiting blocking parking spaces for electric vehicles; 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 24 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Bekkedahl; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Krebsbach; Larsen, O.; Marcellais; Mathern; Meyer; Oban; Oehlke; Piepkorn; Robinson; Rust; Sorvaag; Wardner

NAYS: Anderson; Burckhard; Clemens; Cook; Fors; Kannianen; Klein; Kreun; Larson, D.; Lee, G.; Lee, J.; Luick; Myrdal; Patten; Poolman; Roers, J.; Roers, K.; Schaible; Unruh; Vedaa; Wanzek

ABSENT AND NOT VOTING: Hogan

Engrossed HB 1405 passed.

SECOND READING OF HOUSE BILL

HB 1046: A BILL for an Act to amend and reenact sections 37-07.1-05 and 37-07.2-03 of the North Dakota Century Code, relating to higher education grants and tuition waivers for national guard members; 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, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Hogan

Engrossed HB 1046 passed and the emergency clause was declared carried.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1032, HB 1144, HB 1280, HB 1311, HB 1316, HB 1475, HB 1503, HCR 3011, HCR 3015, HCR 3051.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1115, HB 1259, HB 1285, HB 1406, HB 1454.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1283, HB 1417, HB 1519.

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1159, HCR 3016.

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

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1060, HB 1145, HB 1443, HCR 3040, HCR 3046.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2125, SB 2165, SB 2184, SB 2314, SB 2331.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2076, SB 2090, SB 2102, SB 2179, SB 2209, SB 2342.

HOUSE AMENDMENTS TO SENATE BILL NO. 2076

Page 2, line 11, remove "or both,"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2090

Page 2, line 21, after the underscored period insert "Fossil byproduct water" means water obtained as a byproduct of extraction and separation from oil, gas, and other hydrocarbons, from a formation that is both not a potable aquifer at the extraction location and is situated below the deepest potable aquifer by the practically impermeable layer.

9.

Page 2, line 23, replace "9." with "10."

Page 2, line 26, replace "10." with "11."

Page 3, line 1, replace "11." with "12."

Page 3, line 3, replace "12." with "13."

Page 3, line 11, replace "13." with "14."

Page 3, line 13, replace "14." with "15."

Page 3, line 16, replace "15." with "16."

Page 3, line 17, replace "16." with "17."

Page 3, line 19, replace "17." with "18."

Page 3, line 20, replace "18." with "19."

Page 3, line 21, replace "19." with "20."

Page 3, line 23, replace "20." with "21."

Page 7, line 10, overstrike "water facilities" and insert immediately thereafter "permitholders"

Page 8, line 8, after "and" insert "mailing"

Page 8, line 9, after "electronically" insert "must state the name and mailing address of the person filing the comments, and"

Page 14, line 22, remove "Upon reasonable proof the transfer will not adversely"

Page 14, line 23, replace "affect the rights of other appropriators, the" with "The"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2102

Page 2, line 3, after the underscored period insert: "Direct primary care" means any private contract between a provider and consumer for services associated with that provider.

5."

Page 2, line 11, after the underscored period insert: "Direct primary care:

d."

Page 2, line 12, replace "d." with "e."

Page 2, line 13, replace "5." with "6."

Page 2, line 20, replace "6." with "7."

Page 2, line 25, replace "7." with "8."

Page 3, line 2, replace "8." with "9."

Page 3, line 6, replace "9." with "10."

Page 3, line 13, replace "10." with "11."

Page 3, line 17, replace "11." with "12."

Page 3, line 24, replace "12." with "13."

Page 3, line 27, replace "13." with "14."

Page 3, line 30, replace "14." with "15."

Page 4, line 3, replace "15." with "16."

Page 4, line 6, replace "16." with "17."

Page 4, line 7, replace "17." with "18."

Page 4, line 10, replace "18." with "19."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2179

Page 2, line 30, remove "or"

Page 2, line 31, replace the second underscored period with "; or

f. A request to designate or change the designation of a beneficiary to receive any property, benefit, or contract right for an eligible adult."

Page 5, after line 7, insert:

"c. An attorney-in-fact, trustee, conservator, guardian, or other fiduciary who has been selected or appointed to manage some or all of the financial affairs of the eligible adult."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2209

Page 1, line 8, remove "required to be disclosed"

Page 1, line 9, replace "to another person for" with "regarding"

Page 2, after line 20, insert:

"5. Records deemed exempt under this section and disclosed to another entity continue to be exempt in the possession of the receiving entity."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2342

Page 1, line 2, replace "airboats" with "boats"

Page 1, line 7, replace "**Airboat regulation**" with "**Regulation of noise from boats**"

Page 1, line 8, remove "For purposes of this section, unless context otherwise requires:"

Page 1, replace lines 9 through 14 with "A boat operated on the waters of this state between the hours of twelve midnight and five a.m. may not produce a noise in excess of eighty-eight decibels for more than ten minutes."

Page 1, line 15, remove "The exhaust of an internal combustion engine used on an airboat operated on the"

Page 1, replace lines 16 through 20 with "For purposes of subsection 1, the decibel level of a boat must be measured from the shoreline closest to the location from which a complainant or other individual noticed the noise."

Page 1, line 21, replace "An airboat" with "A boat"

Page 1, line 21, replace "subsection 2" with "this section"

Page 1, line 23, replace "An airboat" with "A boat"

Page 1, line 23, replace "subsection 2" with "this section"

Page 1, line 23, replace the second "airboat" with "boat"

Page 1, line 24, replace "is not in compliance with subsection 2" with "produced the noise in violation of this section"

Renumber accordingly

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2024.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2024

Page 1, line 7, after the second "funds" insert "and other income"

Page 1, replace lines 22 through 23 with:

"Litigation costs	\$269,408
Total general fund	\$269,408"

Page 2, replace line 8 with:

"Total all funds	\$2,473,884
Less special funds	<u>1,586,061</u>
Total general fund	\$887,823"

Page 2, replace lines 22 through 24 with:

"Grand total general fund	\$4,233,331
Grand total special funds	<u>2,441,971</u>
Grand total all funds	\$6,675,302

SECTION 2. SPECIAL FUNDS - ENVIRONMENT AND RANGELAND PROTECTION FUND. The less special funds line item in subdivision 5 of section 1 of this Act includes \$1,586,061 from the environment and rangeland protection fund."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Decreases the appropriation from the general fund to the Industrial Commission for litigation costs by \$230,592, from \$500,000 to \$269,408.
- Changes the funding source for the loan repayment associated with an emergency hay operation from the general fund to the environment and rangeland protection fund.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SB 2095, SB 2356.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2270, SB 2307, SB 2308, SB 2323, SB 2359, SCR 4002, SCR 4014.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1292, HB 1296, HB 1337, HB 1391, HB 1487, HB 1516.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2270, SB 2307, SB 2308, SB 2323, SB 2359, SCR 4002, SCR 4014.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1292, HB 1296, HB 1337, HB 1391, HB 1487, HB 1516.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1077, HB 1131, HB 1200, HB 1351, HB 1485.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 25, 2019: SB 2153, SB 2257, SB 2312.

MOTION

SEN. KLEIN MOVED that the absent member 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., Tuesday, March 26, 2019, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1054: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1054 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1203: Government and Veterans Affairs Committee (Sen. Davison, Chairman)

recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
HB 1203 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1268, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1268
was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "sections 11-28.3-09 and 23-46-04 and"

Page 1, line 2, after "service" insert "and emergency medical services financial assistance"

Page 1, line 2, after the semicolon insert "and"

Page 1, line 3, remove "; to provide an"

Page 1, line 4, remove "effective date; and to declare an emergency"

Page 1, after line 5, insert:

"SECTION 1. AMENDMENT. Section 11-28.3-09 of the North Dakota
Century Code is amended and reenacted as follows:

11-28.3-09. Emergency medical service policy - Levy - Financial report.

1. The board of directors shall establish a general emergency medical service policy for the district and shall annually estimate the probable expense for carrying out that policy. The estimate shall be certified by the president and secretary to the proper county auditor or county auditors, on or before June thirtieth of each year. In the year for which the levy is sought, a board of directors of a rural ambulance service district seeking approval of a property tax levy under this chapter must file with the county auditor of the counties within the rural ambulance service district, at a time and in a format prescribed by the county auditors, a financial report for the preceding calendar year showing the ending balances of each fund held by the rural ambulance service district during that year. The board or boards of county commissioners may levy a tax not to exceed the mill rate approved by the electors of the district under section 11-28.3-04, and in no event exceeding a mill rate of ~~ten~~fifteen mills upon the taxable property within the district for the maintenance of the rural ambulance service district for the fiscal year as provided by law. A rural ambulance service district may be dissolved by approval of electors of the district as provided in section 11-28.3-13.
2. The tax levied for a rural ambulance service district shall be:
 - ~~1-~~ a. Collected as other taxes are collected in the county.
 - ~~2-~~ b. Turned over to the secretary-treasurer of the rural ambulance service district, who shall be bonded in the amount of at least five thousand dollars.
 - ~~3-~~ c. Deposited by the secretary-treasurer in a state or national bank in a district account.
 - ~~4-~~ d. Paid out upon warrants drawn upon the district account by authority of the board of directors of the district, bearing the signature of the secretary-treasurer and the countersignature of the president.
3. In no case shall the amount of the tax levy exceed the amount of funds required to defray the expenses of the district for a period of one year as embraced in the annual estimate of expense, including the amount of principal and interest upon the indebtedness of the district for the ensuing year. The district may include in its operating budget no more than ten

percent of its annual operating budget as a depreciation expense to be set aside in a dedicated emergency medical services sinking fund deposited with the treasurer for the replacement of equipment and ambulances. The ten percent emergency medical services sinking fund may be in addition to the actual annual operating budget, but the total of the annual operating budget and the annual ten percent emergency medical services sinking fund shall not exceed the amount of revenue that would be generated by application of the maximum mill levy approved by the electors.

SECTION 2. AMENDMENT. Section 23-46-04 of the North Dakota Century Code is amended and reenacted as follows:

23-46-04. State financial assistance for emergency medical services - Confidential information - Annual allocation.

Emergency medical services operations that request financial assistance from the state must provide requested fiscal information to the state department of health for use in financial assistance determinations. All information provided to the department under this section is confidential. The state department of health shall determine annually the allocation amount of state financial assistance for each emergency medical services funding area based on the department's determination of:

- 1- ~~The the~~ minimum annual funding necessary to operate the emergency medical services operation or service designated to operate in the ambulance funding area, based on the financial needs unique to each emergency medical services funding area.
- 2- ~~Required local matching funds commensurate with at least ten dollars-per capita within the emergency medical services funding area."~~

Page 1, line 12, after "health" insert ", in consultation with the emergency medical services advisory council,"

Page 1, line 15, after "\$60,000" insert ", or other base amount established by the department,"

Page 1, line 17, replace "\$1,100" with "the average cost of a run"

Page 1, line 21, replace "\$850" with "the average amount of reimbursement for a run"

Page 2, remove lines 8 and 9

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1270, as engrossed: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1270 was placed on the Sixth order on the calendar.

Page 1, line 14, remove "later"

Page 1, line 15, replace "than the" with "after"

Page 1, line 15, replace "immediately preceding an" with "following the last preceding general"

Page 2, line 3, after the underscored period insert "However, an emergency alteration of a polling place made less than one week before the election is exempt from this subsection."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1302, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1302 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "When" with "Except as otherwise provided by law, if"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1368: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1368 was placed on the Sixth order on the calendar.

Page 1, line 20, replace "committee" with "board"

Page 1, line 21, replace "committee" with "board"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1507, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1507 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1513, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1513 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new subdivision to subsection 3 of section 54-35-26 of the North Dakota Century Code, relating to the review of economic development tax incentives; and"

Page 1, line 2, remove "; to"

Page 1, remove lines 3 and 4

Page 1, line 5, remove "recruitment tax credit; and to provide an effective date"

Page 1, after line 6, insert:

"SECTION 1. A new subdivision to subsection 3 of section 54-35-26 of the North Dakota Century Code is created and enacted as follows:

Family care credit."

Page 1, line 10, remove the overstrike over "~~Family care tax credit under section 57-38-01.20.~~"

Page 1, line 11, remove the overstrike over "~~b.~~"

Page 1, line 12, remove the overstrike over "~~e.~~"

Page 1, line 12, remove "b."

Page 1, line 13, remove the overstrike over "~~d.~~"

Page 1, line 13, remove "c."

Page 1, line 14, remove the overstrike over "~~e.~~"

Page 1, line 14, remove "d."

Page 1, line 15, remove the overstrike over "f."

Page 1, line 15, remove "e."

Page 1, remove the overstrike over lines 17 and 18

Page 1, line 19, remove the overstrike over "i."

Page 1, line 21, remove "f."

Page 1, line 22, replace "g." with "j."

Page 1, line 23, replace "h." with "k."

Page 2, line 1, replace "i." with "l."

Page 2, line 3, replace "j." with "m."

Page 2, line 7, replace "k." with "n."

Page 2, line 9, replace "l." with "o."

Page 2, remove lines 10 through 13

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3031, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3031 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3056: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3056 was placed on the Fourteenth order on the calendar.

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

Shanda Morgan, Secretary