

JOURNAL OF THE SENATE

Sixty-sixth Legislative Assembly

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Bismarck, April 1, 2019

The Senate convened at 1:15 p.m., with President Sanford presiding.

The prayer was offered by Rajan Zed, President, Universal Society of Hinduism, Bismarck.

The roll was called and all members were present.

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 Forty-third, Fifty-third, and Fifty-sixth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

page 907, line 31, replace "(6 YEAS, 0 NAYS," with "(5 YEAS, 1 NAY,"

page 910, line 17, replace "(6 YEAS, 0 NAYS," with "(5 YEAS, 1 NAY,"

page 1085, line 14, delete "PASTOR OF"

page 1088, line 4, delete "JOHN", replace with "STEVE"

page 1149, line 13, replace "voice" with "verification"

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

MOTION

SEN. KLEIN MOVED that HB 1520, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

MOTION

SEN. KLEIN MOVED that Engrossed SB 2040, as amended, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed SB 2040, as amended, was rereferred.

CONSIDERATION OF AMENDMENTS

HB 1005, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments on SJ page 1171 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 1005: A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

MOTION

SEN. HOLMBERG MOVED that Engrossed HB 1005, as amended, be amended as follows, which motion prevailed on a voice vote.

In lieu of the amendments adopted by the Senate as printed on page 1171 of the Senate Journal, Engrossed House Bill No. 1005 is amended as follows:

Page 1, replace lines 11 through 13 with:

"Salaries and wages	\$848,407	\$21,672	\$870,079
Operating expenses	<u>263,704</u>	<u>(35,144)</u>	<u>228,560</u>
Total general fund	\$1,112,111	(\$13,472)	\$1,098,639"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1005 - Indian Affairs Commission - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$848,407	\$866,218	\$3,861	\$870,079
Operating expenses	<u>263,704</u>	<u>228,560</u>		<u>228,560</u>
Total all funds	\$1,112,111	\$1,094,778	\$3,861	\$1,098,639
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$1,112,111	\$1,094,778	\$3,861	\$1,098,639
FTE	4.00	4.00	0.00	4.00

Department 316 - Indian Affairs Commission - Detail of Senate Changes

	Adjusts Funding for Salary Increases ¹	Total Senate Changes
Salaries and wages	\$3,861	\$3,861
Operating expenses		
Total all funds	\$3,861	\$3,861
Less estimated income	<u>0</u>	<u>0</u>
General fund	\$3,861	\$3,861
FTE	0.00	0.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 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; Larson, D.; Lee, G.; Lee, J.; Lemm; 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.

Engrossed HB 1005, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1394: SEN. DWYER (Judiciary Committee) MOVED that the amendments on SJ page 1174 be adopted and then be placed on the Fourteenth order **WITHOUT RECOMMENDATION**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1394: A BILL for an Act to amend and reenact subsection 5 of section 53-06.1-11 of the North Dakota Century Code, relating to rent limits for electronic pull tab devices.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and

there were 25 YEAS, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Davison; Dotzenrod; Elkin; Erbele; Grabinger; Heckaman; Holmberg; Klein; Krebsbach; Kreun; Larsen, O.; Lee, J.; Mathern; Meyer; Oban; Patten; Piepkorn; Poolman; Robinson; Roers, K.; Schaible; Sorvaag; Wanzek

NAYS: Bekkedahl; Burckhard; Clemens; Cook; Dever; Dwyer; Fors; Hogan; Hogue; Kannianen; Larson, D.; Lee, G.; Lemm; Luick; Marcellais; Myrdal; Oehlke; Roers, J.; Rust; Unruh; Vedaa; Wardner

HB 1394, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1287, as engrossed: SEN. RUST (Education Committee) MOVED that the amendments on SJ page 1173 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 1287: A BILL for an Act to amend and reenact section 15.1-13-10 of the North Dakota Century Code, relating to initial teaching licenses for individuals completing alternative teacher certification program; to provide for a legislative management report; and to provide an expiration date.

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 35 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Bakke; Dotzenrod; Fors; Grabinger; Heckaman; Hogan; Holmberg; Marcellais; Mathern; Oban; Piepkorn; Robinson

Engrossed HB 1287, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1531, as engrossed: SEN. RUST (Education Committee) MOVED that the amendments on SJ page 1175 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 1531: A BILL for an Act to amend and reenact section 15.1-18-10 of the North Dakota Century Code, relating to allowing individuals who do not have a teaching license to teach noncore subjects upon meeting certain criteria; to provide for a legislative management report; and to provide an expiration date.

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 28 YEAS, 19 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bekkedahl; Clemens; Cook; Davison; Dever; Elkin; Erbele; Hogue; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Lee, G.; Lee, J.; Lemm; Meyer; Myrdal; Patten; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

NAYS: Bakke; Burckhard; Dotzenrod; Dwyer; Fors; Grabinger; Heckaman; Hogan; Holmberg; Larson, D.; Luick; Marcellais; Mathern; Oban; Oehlke; Piepkorn;

Poolman; Robinson; Unruh

Engrossed HB 1531, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1206, as engrossed: SEN. KREUN (Energy and Natural Resources Committee) MOVED that the amendments on SJ pages 1171-1172 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1206: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 54-12-14 and section 62.1-04-03.2 of the North Dakota Century Code, relating to a class 1 exempt firearm license; and to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a concealed firearm or dangerous weapon at a public gathering.

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 11 YEAS, 36 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Clemens; Cook; Dever; Kannianen; Klein; Larsen, O.; Larson, D.; Lemm; Luick; Meyer

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

Engrossed HB 1206, as amended, failed.

CONSIDERATION OF AMENDMENTS

HB 1246, as engrossed: SEN. J. ROERS (Energy and Natural Resources Committee) MOVED that the amendments on SJ page 1172 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 1246: A BILL for an Act to amend and reenact section 20.1-03-11 of the North Dakota Century Code, relating to gratis tags for hunting big game; and to provide for a legislative management study.

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

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

NAYS: Fors; Grabinger

Engrossed HB 1246, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1286, as engrossed: SEN. D. LARSON (Judiciary Committee) MOVED that the amendments on SJ pages 1172-1173 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 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, and 19-03.1-36.7 of the North Dakota Century Code, relating to forfeiture proceedings, contested forfeiture hearings, legal interests in forfeited property, and forfeitures.

MOTION

SEN. D. LARSON MOVED that Engrossed HB 1286, as amended, be amended as follows, which motion prevailed on a voice vote.

In addition to the amendments adopted by the Senate as printed on pages 1172 and 1173 of the Senate Journal, Engrossed House Bill No. 1286 is further amended as follows:

Page 3, line 30, remove "electronic data entry for"

Page 4, line 5, replace "an aggregate" with "a"

Page 4, line 11, remove "aggregate"

Renumber accordingly

ROLL CALL

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

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

NAYS: Anderson

Engrossed HB 1286, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1290, as engrossed: SEN. DWYER (Judiciary Committee) MOVED that the amendments on SJ page 1174 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 1290: A BILL for an Act to provide for a legislative management study of search and seizure procedures.

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 4 YEAS, 43 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Hogue; Larsen, O.; Luick; Myrdal

NAYS: Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Holmberg;

Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Lemm; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Engrossed HB 1290, as amended, failed.

CONSIDERATION OF AMENDMENTS

HCR 3037, as reengrossed: SEN. K. ROERS (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 1176 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3037: A concurrent resolution clarifying the 1975 ratification by the 44th Legislative Assembly of the proposed 1972 Equal Rights Amendment to the Constitution of the United States was valid only through March 22, 1979.

REQUEST

SEN. DAVISON REQUESTED a verification vote on the adoption of Reengrossed HCR 3037, as amended, which request was granted.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO NOT PASS.

Reengrossed HCR 3037, as amended, was declared lost on a verification vote.

CONSIDERATION OF AMENDMENTS

HCR 3048: SEN. PIEPKORN (Energy and Natural Resources Committee) MOVED that the amendments on SJ page 1176 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3048: A concurrent resolution directing the Legislative Management to consider studying the feasibility and desirability of establishing a wind reclamation fund and whether the statutorily required minimum wind turbine setback distances provide adequate protections to nonparticipating landowners and their property.

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

HCR 3048, as amended, was declared adopted on a verification vote.

SECOND READING OF SENATE BILL

SB 2362: A BILL for an Act to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to the allocation of oil extraction tax; to provide a contingent appropriation; to provide for a transfer; to provide an effective date; 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, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Cook; Hogue; Mathern

Engrossed SB 2362, as amended, passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

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.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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.; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Reengrossed HB 1435, as amended, passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1345: A BILL for an Act to amend and reenact section 43-11-01 of the North Dakota Century Code, relating to the practice of natural hair braiding and threading.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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.; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

HB 1345 passed.

SECOND READING OF HOUSE BILL

HB 1444: A BILL for an Act to amend and reenact section 29-26-22.2 of the North Dakota Century Code, relating to the authority of the county commission to compromise and settle debt obligations.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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.; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Engrossed HB 1444 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3035: A concurrent resolution congratulating Cara Mund for being crowned Miss America 2018.

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

HCR 3035 was declared adopted on a voice vote.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2362.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1345, HB 1444, HCR 3035.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1005, HB 1246, HB 1286, HB 1287, HB 1394, HB 1531, HCR 3048.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1435.

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1206, HB 1290, HCR 3037.

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: HCR 3058.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2110, SB 2212, SB 2281.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2110

Page 1, after line 12, insert:

"3. "Cybersecurity strategy" means a vision, plan of action, or guiding principles. Unless otherwise defined in this chapter, the term does not mean an associated operational plan."

Page 1, line 13, replace "3." with "4."

Page 1, line 14, replace "4." with "5."

Page 1, line 17, replace "5." with "6."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2212

Page 1, line 2, replace "authorization for" with "the inspection of production and royalty payment records by"

Page 1, line 2, remove "to impose a civil penalty"

Page 1, line 3, remove "for failure to produce records"

Page 2, line 12, remove ", the board shall send a letter to the person"

Page 2, replace lines 13 through 21 with ":

- a. The records in subsection 1 must be sent electronically, or in a manner acceptable to the board, to a location designated by the board.
- b. Notwithstanding subsection 2, at the discretion of the board, a proceeding brought under this section may be brought in the district court of Burleigh County or in the county in which the oil or gas well is located.
4. If the board of university and school lands is successful in any proceeding brought under this section, the district court shall allow the board to recover court costs; reasonable costs, fees, disbursements, and expenses incurred by the board in inspecting the copying the oil and gas production and royalty payment records of the person obligated to pay royalties under the lease; and reasonable attorney's fees.
 - a. The district court also shall assess a civil penalty of two thousand dollars per day for each day the person obligated to pay royalties under the lease failed to send the oil and gas royalty payment and production records to the board in accordance with subsection 1.
 - b. The civil penalty under subdivision a ceases to accrue on the date the proceedings are initiated under subsection 1."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2281

Page 1, line 14, remove the overstrike over "~~including prevention~~"

Page 1, line 15, remove the overstrike over "~~and punishment of the minor's misconduct, and the maintenance of proper discipline~~"

Page 1, line 16, remove "The reasonable force used for the purpose of safeguarding or promoting the"

Page 1, remove lines 17 and 18

Page 1, line 19, remove "a parent or guardian, or a person acting at the direction of a parent or guardian."

Page 1, line 20, replace "acting at the direction of a parent or guardian" with "using reasonable force for the prevention and punishment of the minor's misconduct or the maintenance of proper discipline"

Page 1, line 20, remove the second "the"

Page 1, line 21, replace "direction must be in writing" with "that person must be acting under written direction of the parent or guardian of the minor"

Renumber accordingly

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1058, HB 1098, HB 1115, HB 1179, HB 1199, HB 1248, HB 1283, HB 1362, and HB 1369.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1194,

HB 1366, HB 1407, HB 1412, HB 1417, HB 1429, HB 1454, HB 1513, and HB 1519, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1194: Reps. Rohr; D. Anderson; Dobervich

HB 1366: Reps. D. Anderson; Zubke; Mitskog

HB 1407: Reps. Weisz; Grueneich; Hanson

HB 1412: Reps. Lefor; Marschall; Eidson

HB 1417: Reps. Westlind; Fegley; Schneider

HB 1429: Reps. Owens; Heinert; Guggisberg

HB 1454: Reps. Pyle; Longmuir; Guggisberg

HB 1513: Reps. Grueneich; Blum; Eidson

HB 1519: Reps. M. Ruby; Westlind; Damschen

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2138, SB 2197, SCR 4003, SCR 4013.

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

MR. PRESIDENT: The Speaker has signed: SB 2107, SB 2108, SB 2122, SB 2254, SB 2343, SCR 4008.

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

MR. PRESIDENT: The Speaker has signed: SB 2109.

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

MR. PRESIDENT: The Speaker has signed: SB 2138, SB 2197, SCR 4003, SCR 4013.

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

MR. SPEAKER: The President has signed: SB 2107, SB 2108, SB 2122, SB 2254, SB 2343, SCR 4008.

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

MR. PRESIDENT: The Speaker has signed: HB 1054, HB 1101, HB 1124, HB 1175, HB 1203, HB 1354, HB 1401, HB 1415, HB 1422, HB 1507, HB 1515, HCR 3031, HCR 3041, HCR 3052, HCR 3054, HCR 3056.

COMMUNICATION FROM GOVERNOR DOUG BURGUM

This is to inform you that on March 28, 2019, I have signed the following: SB 2065, SB 2081, SB 2085, SB 2087, SB 2125, SB 2153, SB 2165, SB 2182, SB 2184, SB 2198, SB 2210, SB 2257, SB 2270, SB 2305, SB 2307, SB 2308, SB 2312, SB 2314, SB 2323, SB 2331, SB 2339, SB 2359, and SB 2361.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, April 2, 2019, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1173: Judiciary Committee (Sen. D. Larson, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1173 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1174: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1174 was placed on the Sixth order on the calendar.

Page 2, remove line 30

Page 3, line 2, remove the overstrike over ";and"

Page 3, remove the overstrike over line 3

Page 3, line 4, remove the overstrike over "~~Revenue Code~~" and insert immediately thereafter "to the extent included in North Dakota taxable income"

Page 3, line 14, replace "~~Reduced~~" with "For taxpayers with federal adjusted gross income of fifty thousand dollars or less, reduced"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1237, as engrossed: 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 1237 was placed on the Sixth order on the calendar.

Page 1, line 23, replace "an organization" with "a domestic violence rape crisis center"

Page 1, line 23, after "abuse" insert "or the treatment of child abuse victims, or both"

Page 2, line 5, replace "superintendent" with "school social worker"

Page 2, line 5, replace "an urban" with "a public"

Page 2, line 5, remove "and one from a rural school"

Page 2, line 6, remove "district"

Page 2, line 7, replace "One principal" with "Two school principals, one"

Page 2, line 7, replace "a high school, middle school, or elementary" with "an urban school district and one from a rural"

Page 2, line 7, after the third "school" insert "district"

Page 2, line 10, remove "classroom teacher from a high school, middle school, or elementary school"

Page 2, line 11, replace "in the state" with "member from the faith-based community"

Page 2, line 11, remove "superintendent of public instruction from a list"

Page 2, line 12, replace "provided by North Dakota united" with "attorney general"

Page 2, line 13, replace "One" with "Two"

Page 2, line 13, replace "counselor" with "counselors, one"

Page 2, line 13, replace "a high school, middle school, or elementary" with "an urban school district and one from a rural"

Page 2, line 13, after the fourth "school" insert "district"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1256, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1256 was placed on the Sixth order on the calendar.

Page 2, line 14, replace the first "an" with ":

- a. A felony offense involving violence or intimidation during the period in which the offender is ineligible to possess a firearm under subdivision a of subsection 1 of section 62.1-02-01; or

b. An"

Page 3, line 26, replace "12-32-04" with "12.1-32-04"

Page 4, line 17, replace "or may" with "and shall"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1339, as engrossed: Transportation Committee (Sen. Rust, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1339 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1383, as reengrossed: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1383 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the comma with "and"

Page 1, line 2, remove ", and a new section to chapter 49-22.1"

Page 1, line 4, replace the first comma with "and"

Page 1, line 4, replace the second comma with "and"

Page 1, line 5, remove ", 49-22.1-03, and 49-22.1-09"

Page 1, line 8, remove "to the budget section; to provide an appropriation"

Page 1, line 20, overstrike "One individual appointed by the lignite energy council;"

Page 1, overstrike lines 21 through 23

Page 1, line 24, overstrike "j. One individual appointed by the North Dakota soybean growers association;"

Page 2, line 1, overstrike "k. One individual appointed by the North Dakota stockmen's association"

Page 2, line 1, remove the underscored semicolon

Page 2, remove lines 2 and 3

Page 2, line 4, replace "n." with "The chairman of the public service commission or the chairman's designee:

g. The state engineer or the state engineer's designee;

h. The director of the game and fish department, or the director's designee;

i. The director of the department of transportation, or the director's designee;

j. The director of the department of environmental quality, or the director's designee;

k."

Page 2, line 4, remove "and"

Page 2, line 5, replace "o." with "l."

Page 2, line 6, after "cooperatives" insert: ":

- m. Two individuals from the agricultural production community appointed by the commissioner;
- n. Two individuals from the conservation community appointed by the commissioner;
- o. Two individuals from the wind energy development community appointed by the commissioner;
- p. Two individuals from the crop community appointed by the commissioner;
- q. Two individuals from the animal agriculture community appointed by the commissioner; and
- r. Two individuals from the energy community appointed by the commissioner"

Page 2, line 9, replace "**budget section**" with "**legislative management**"

Page 2, line 11, remove "The moneys accumulated in the environmental impact mitigation fund must be"

Page 2, line 12, replace "allocated as provided by law and as appropriated by the legislative assembly" with "There is created in the state treasury the environmental impact mitigation fund. The fund consists of all moneys deposited in the fund under section 5 of this Act. All moneys in the fund are appropriated to the commissioner on a continuing basis"

Page 2, line 13, remove the underscored colon

Page 2, remove lines 14 and 15

Page 2, line 16, replace "b. To" with "to"

Page 2, line 16, after "by" insert "wind"

Page 2, line 17, remove "; and"

Page 2, remove line 18

Page 2, line 19, replace "wetlands" with "as set forth under subsection 2"

Page 2, line 21, remove ", wildlife biologists."

Page 2, replace lines 22 through 26 with "or engineers for relevant services to implement mitigation required from the impact of wind energy development; and"

Page 2, line 27, remove ", restoration."

Page 2, line 27, remove "land, water resources, or wildlife"

Page 2, line 28 replace "habitats adversely impacted directly by" with "adverse impacts from wind"

Page 2, line 28, remove "; and"

Page 2, remove line 29

Page 2, line 30, remove "as determined by the advisory board"

Page 3, line 1, remove "The commissioner is not subject to chapter 54-44.4 when contracting for services"

Page 3, remove line 2

Page 3, line 3, remove "4."

Page 3, line 5, replace "5." with "4."

Page 3, line 7, replace "6." with "5."

Page 3, line 8, remove "at least one regular meeting each year and additional"

Page 3, line 10, replace "presiding officer" with "chairman"

Page 3, line 12, replace "7." with "6."

Page 3, line 15, replace "8." with "7."

Page 3, line 16, remove "budget section of the"

Page 3, remove lines 17 and 18

Page 4, after line 21 insert:

"1."

Page 4, remove the overstrike over lines 22 and 23

Page 4, line 24, remove "1. To"

Page 4, line 24, remove "in"

Page 4, line 24, remove ", the commission"

Page 4, line 25, remove "shall consider"

Page 5, line 3, remove the overstrike over "and indirect"

Page 5, line 18, remove "In the evaluation and designation of sites, corridors, and routes, the commission may"

Page 5, replace lines 19 through 23 with "The commission may not condition the issuance of a certificate or permit on the applicant providing a mitigation payment assessed or requested by another state agency or entity to offset a negative impact on wildlife habitat."

Page 5, line 27, replace "If an applicant elects to provide" with "An applicant may elect to provide"

Page 5, line 28, replace "impact" with "impacts"

Page 5, line 28, remove ", the applicant shall"

Page 5, line 29, remove "make the payment to the agriculture commissioner"

Page 5, line 29, after the underscored period insert "The applicant may elect to provide the payment to the agriculture commissioner."

Page 6, line 1, replace "Subject to subsection 3, the" with "The"

Page 6, remove lines 4 through 31

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 15

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1453, as engrossed: 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 1453 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "amend and reenact sections 25-03.1-02, 25-03.1-07, 25-03.1-17,"

Page 1, remove line 2

Page 1, line 3, remove "procedures and alternative treatment orders; and to"

Page 1, line 3, after "study" insert "of civil commitment laws and procedures"

Page 1, remove lines 5 through 23

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 30

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 29

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1488, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1488 was placed on the Fourteenth order on the calendar.

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

Shanda Morgan, Secretary

