

JOURNAL OF THE SENATE

Sixty-fourth Legislative Assembly

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Bismarck, March 25, 2015

The Senate convened at 12:35 p.m., with President Wrigley presiding.

The prayer was offered by Pastor Kari Bitz, Cord of Three Ministries, Bismarck.

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

A quorum was declared by the President.

MOTION

SEN. CAMPBELL MOVED that the Senate reconsider its action whereby HCR 3014 failed to pass, which motion failed on a verification vote.

CONSIDERATION OF AMENDMENTS

HB 1359, as reengrossed: SEN. LARSEN (Human Services Committee) MOVED that the amendments on SJ page 909 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Reengrossed HB 1359 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

HB 1376: SEN. J. LEE (Political Subdivisions Committee) MOVED that the amendments on SJ page 909 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1082: SEN. LAFFEN (Finance and Taxation Committee) MOVED that the amendments on SJ pages 906-907 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1417, as engrossed: SEN. BURCKHARD (Political Subdivisions Committee) MOVED that the amendments on SJ page 909 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1133, as reengrossed: SEN. UNRUH (Finance and Taxation Committee) MOVED that the amendments on SJ pages 907-908 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1319: SEN. BEKKEDAH (Finance and Taxation Committee) MOVED that the amendments on SJ page 908 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

REPORT OF STANDING COMMITTEE

HB 1471, as engrossed: Education Committee (Sen. Flakoll, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1471 was placed on the Sixth order on the calendar.

Page 1, line 1, remove ", 15-18.1,"

Page 2, remove lines 15 through 29

Page 3, remove lines 1 through 14

Page 4, line 16, after "school" insert "district"

Page 4, line 22, replace "institution or state board of higher education" with "school district"

Page 4, line 24, replace "institution" with "school"

Page 4, line 25, after "school" insert "district"

Renumber accordingly

CONSIDERATION OF AMENDMENTS

HB 1471, as engrossed: SEN. OBAN (Education Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1040, as engrossed: SEN. HOGUE (Judiciary Committee) MOVED that the amendments on SJ pages 905-906 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 1197: A BILL for an Act to provide for a prohibition on the purchase of real property and easements for wildlife or conservation purposes with public funds.

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

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Miller; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Mathern; Murphy; Triplett

ABSENT AND NOT VOTING: Warner

Engrossed HB 1197, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1309: A BILL for an Act to amend and reenact subsection 1 of section 16.1-01-12, subsection 11 of section 16.1-08.1-01, sections 16.1-08.1-03.1 and 16.1-08.1-03.2, subsection 3 of section 16.1-08.1-03.5, section 16.1-08.1-03.9, subsection 1 of section 16.1-08.1-03.12, and sections 16.1-08.1-03.13, 16.1-08.1-06, and 16.1-10-04.1 of the North Dakota Century Code, relating to campaign finance disclosure.

ROLL CALL

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

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1309 passed.

SECOND READING OF HOUSE BILL

HB 1297: A BILL for an Act to repeal sections 29-01-20 and 29-01-21 of the North Dakota Century Code, relating to the procedure for the disposition of property held by a peace officer.

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

YEAS: Anderson; Burckhard; Dotzenrod; Grabinger; Lee, J.; Mathern; Sinner

NAYS: Armstrong; Axness; Bekkedahl; Bowman; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Flakoll; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Luick; Marcellais; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

HB 1297 failed.

SECOND READING OF HOUSE BILL

HB 1322: A BILL for an Act to provide for a legislative management study of special assessments.

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 5 YEAS, 41 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Cook; Larsen; Luick; Marcellais

NAYS: Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1322 failed.

MOTION

SEN. KLEIN MOVED that Engrossed HB 1116 be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1116 was rereferred.

REPORT OF STANDING COMMITTEE

HB 1315, as Reengrossed: Education Committee (Sen. Flakoll, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1315 was placed on the Fourteenth order on the calendar.

SECOND READING OF HOUSE BILL

HB 1315: A BILL for an Act to amend and reenact section 15.1-16-21 of the North Dakota Century Code, relating to salary increases for unfillable teaching positions.

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 6 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Cook; Dever; Lee, G.; Luick; Miller; Wanzek

NAYS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Davison; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, J.; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wardner

ABSENT AND NOT VOTING: Warner

Reengrossed HB 1315 failed.

MOTION

SEN. KLEIN MOVED that HB 1463, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1228: A BILL for an Act to amend and reenact subsection 6 of section 57-38-01.8 of the North Dakota Century Code, relating to the carryforward period for excess geothermal, solar, wind, or biomass energy device income tax credits; and to provide an effective date.

ROLL CALL

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

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

NAYS: Miller

ABSENT AND NOT VOTING: Warner

Engrossed HB 1228 passed.

THE PRESIDENT STATED that the President's decision in ruling the Reconsideration of HCR 3014 a nondebatabile motion, was incorrect. Senate Rule 317, which lists nondebatabile motions, does not include a motion for reconsideration.

MOTION

SEN. WARDNER MOVED that the Senate suspend Senate Rule 348(4) and debate the issue, which motion prevailed.

MOTION

SEN. CAMPBELL MOVED that the Senate reconsider its action whereby HCR 3014 failed to pass, which motion failed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1211: A BILL for an Act to amend and reenact subsection 5 of section 44-06.1-01, section 44-06.1-17, subsections 6 and 7 of section 44-06.1-23, and section 44-06.1-27 of the North Dakota Century Code, relating to notarial acts, notary

commissions, and notary public name changes.

ROLL CALL

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

NAYS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1211 failed.

SECOND READING OF HOUSE BILL

HB 1467: A BILL for an Act to amend and reenact sections 29-06-05.2 and 29-06-15 of the North Dakota Century Code, relating to the authority of federal agents.

ROLL CALL

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

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

HB 1467 passed.

SECOND READING OF HOUSE BILL

HB 1203: A BILL for an Act to amend and reenact subsection 2 of section 53-06.2-11 of the North Dakota Century Code, relating to the taxation of live racing, simulcast, and account wagering and payments to the funds administered by the North Dakota racing commission; and to provide an effective date.

ROLL CALL

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

NAYS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1203 failed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3037: A concurrent resolution directing the Legislative Management to study the current laws and rules relating to the sale of homemade food and homegrown produce and the policies and practices of local public health units and the State Department of Health regarding these sales and whether steps can be taken to make these policies more uniform throughout the state.

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

HCR 3037 was declared adopted on a voice vote.

REPORT OF STANDING COMMITTEE

HCR 3048: Education Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3048 was placed on the Fourteenth order on the calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3048: A concurrent resolution directing the Legislative Management to study potential opportunities for the creation and utilization of public-private partnerships at institutions of higher education within the North Dakota University System, for the purpose of creating software engineering and development programs.

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

HCR 3048 was declared adopted on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3049: A concurrent resolution directing the Legislative Management to study issues related to employment restrictions in public assistance programs.

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

HCR 3049 was declared adopted on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3012: A concurrent resolution directing the Legislative Management to study the registration requirements for offenders against children and sexual offenders under North Dakota Century Code Section 12.1-32-15.

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

HCR 3012 was declared adopted on a voice vote.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has passed, unchanged: HB 1138, HB 1338, HB 1347, HB 1373, HCR 3015, HCR 3045.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1106, HB 1441, HB 1469.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1206.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1237, HCR 3014, HCR 3016, HCR 3017.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2025, SB 2099, SB 2186, SB 2248, SB 2363.

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

MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2293, SB 2355.

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

MR. PRESIDENT: The House has failed to pass, unchanged: SB 2110, SB 2336, SB 2361.

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

MR. PRESIDENT: The House has failed to pass, unchanged: SB 2134, SB 2202, SB 2208, SB 2241, SB 2246, SB 2288, SB 2307, SB 2378.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: Your signature is respectfully requested on: SCR 4007, SCR 4012, SCR 4013, SCR 4014, SCR 4018.

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

MR. PRESIDENT: The Speaker has signed: SB 2129, SB 2131, SB 2172, SB 2215, SB 2335, SB 2364.

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

MR. PRESIDENT: The Speaker has signed: SCR 4007, SCR 4012, SCR 4013, SCR 4014, SCR 4018.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has signed: HB 1245, HB 1251, HB 1310, HB 1312.

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

MR. PRESIDENT: The Speaker has signed: HB 1047, HB 1052, HB 1062, HB 1063, HB 1064, HB 1066, HB 1110, HB 1123, HB 1148, HB 1149, HB 1153, HB 1163, HB 1189, HB 1199, HB 1375, HB 1418, HB 1436.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

This is to inform you that on March 25, 2015, I have signed the following: SB 2029, SB 2049, SB 2061, SB 2073, SB 2156, SB 2192, SB 2204, SB 2217, SB 2234, SB 2237, SB 2262, SB 2315, and SB 2372.

MOTION

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

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Thursday, March 26, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1030: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1030 was placed on the Sixth order on the calendar.

Page 2, line 28, after "violation" insert "in chapter 19-03.1"

Page 3, line 4, remove the colon

Page 3, remove lines 5 through 16

Page 3, line 17, replace "mandatory minimum sentences" with "the individual is sentenced under section 12.1-32-02.1"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1041, 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 1041 was placed on the Sixth order on the calendar.

Page 1, line 2, after "program" insert "; and to provide for application"

Page 1, line 20, after "identifies" insert "the"

Page 1, line 20, replace "and maximum amounts" with "amount"

Page 1, line 20, after "pharmacy" insert "providers for each medication. The reimbursement"

Page 2, line 6, remove "only"

Page 2, line 6, after "order" insert "to be the sole method of service"

Page 2, line 11, replace "its" with "the private carrier's"

Page 2, line 11, replace "that" with "which"

Page 2, after line 16, insert:

"SECTION 2. APPLICATION. This Act applies to a contract entered or renewed on or after the effective date of this Act."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1046, as reengrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1046 was placed on the Sixth order on the calendar.

Page 1, line 2, after "programming" insert "; and to provide an appropriation"

Page 1, after line 12, insert:

"SECTION 2. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - TRAUMATIC BRAIN INJURY REGIONAL RESOURCE COORDINATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, to the department of human services for the purpose of coordinating services for individuals with traumatic brain injury in each human service region, for the biennium beginning July 1, 2015, and ending June 30, 2017. The department may contract for the provision of services under this section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1056, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1056 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "after receipt of a petition" with "and approval"

Page 1, line 19, replace "residing within the district" with "voting on the question at an annual or special meeting of electors called by the board of directors"

Page 1, line 20, after the underscored period insert "If an election to approve or reauthorize an excess levy will be held at an annual or special meeting of electors of the district called by the board of directors, notice of the meeting and the proposed excess levy election must be provided by at least one publication in the official newspaper of each county in which the district is located at least seven days, but not more than fourteen days, before the date of the public meeting. The published notice must include the amount of the proposed tax rate increase in mills and the duration for which elector approval of the increase is sought and must include the location where, and hours during which, ballots may be cast.

Votes to approve or disapprove the levy increase must be cast on the date of the meeting. The polling place must remain open for at least six hours on the date of the meeting. The secretary-treasurer of the district shall prepare and distribute to qualified electors paper ballots to conduct the election on the question of increased levy authority. Three election judges to receive and count the ballots must be selected by approval of a majority of qualified electors in attendance. A marked ballot must be delivered to one of the judges, folded to conceal its contents, and the judge shall deposit it in the ballot box and another judge shall enter the name of the elector who cast the ballot in the poll book. When the election is closed, the judges shall count the ballots and announce the result. Results of the election must be certified to the county auditor within ten days after the election. The certificate must include a statement of the question as it appeared on the ballot, together with the total number of votes cast in favor, and the number of votes cast against, authorizing the excess levy."

Page 1, line 21, remove "petition of"

Page 1, line 22, replace "eight" with "ten"

Page 1, line 22, overstrike "No signature on the petition may be considered valid"

Page 1, line 23, overstrike "if made more than ninety days prior to receipt of the petition."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1059, as reengrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1059 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1139, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1139 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 authorize the issuance of revenue bonds for improvements to Woods Hall on the Dickinson state university campus and for acquiring properties for student housing near the campus; to provide an appropriation for defraying the expenses of improvements to Woods Hall and for acquiring properties for student housing near the campus; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. BOND ISSUANCE - AUTHORIZATION. The state board of higher education, in accordance with chapter 15-55, may arrange for the funding of the projects authorized in this section, declared to be in the public interest, through the issuance of self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the effective date of this Act and ending June 30, 2017. Evidences of indebtedness issued pursuant to this section are not a general obligation of the state of North Dakota. Any unexpended balance resulting from the

proceeds of the evidences of indebtedness must be placed in a sinking fund to be used for the retirement of indebtedness. The evidences of indebtedness may be issued and the proceeds are appropriated in section 2 of this Act for the following capital projects:

Dickinson state university - Woods Hall	\$6,100,000
Dickinson state university - Acquisition of Miller Apartments, Altringer Apartments, and Bosch Apartments for student housing	<u>3,500,000</u>
Total	\$9,600,000

SECTION 2. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from federal funds, bond proceeds, and other income, to Dickinson state university under the supervision of the state board of higher education for the purpose of defraying the expenses of improvements to Woods Hall and to purchase student housing properties beginning with the effective date of this Act and ending June 30, 2017, as follows:

Capital assets	<u>\$11,500,000</u>
Total special funds	\$11,500,000

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT

This amendment provides for the issuance of \$9.6 million of revenue bonds for improvements to Woods Hall (\$6.1 million) on the Dickinson State University campus and for acquiring properties for student housing near the campus (\$3.5 million). The amendment also provides for an appropriation of \$11.5 million for defraying the expenses of improvements to Woods Hall (\$7.5 million) and for acquiring Miller Apartments, Altringer Apartments, and Bosch Apartments for student housing near the campus (\$4 million).

REPORT OF STANDING COMMITTEE

HB 1215, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1215 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1223, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1223 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "thirty-three" with "forty-one"

Page 1, line 13, replace "thirty-seven" with "fifty-five"

Page 1, line 16, replace "eight" with "thirty-one"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1279, 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 1279 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "home and community-based"

Page 1, line 2, replace "services in North Dakota" with "family caregiver supports and services"

Page 1, line 5, remove "home and community-based services in this"

Page 1, remove lines 6 through 13

Page 1, line 14, replace "community-based study." with "family caregiver supports and services. The study must identify policies, resources, and programs available for family caregivers and encourage additional innovative and creative means to support family caregivers so that they are able to continue to provide in-home support for older adults. The study must include input from stakeholders, including representatives of hospitals, social and clinical providers, advocacy organizations, tribal government, state and local agencies and institutions, and caregivers in this state. The study committee may receive testimony on the needs of family caregivers, including designation of caregivers, training, respite services, medical leave policies, and delegation of tasks to non-medical aides. The study must include an inventory of the resources available to family caregivers and may make any recommendations for administrative actions to support family caregivers. The legislative management may contract for consulting and coordination of study services."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1314, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1314 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1321, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1321 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "communication" with "devices"

Page 1, line 14, remove "(1)"

Page 1, line 14, remove the overstrike over "directed"

Page 1, line 14, remove the colon

Page 1, line 15, remove "(a) Directed"

Page 1, line 16, remove the overstrike over the overstruck period

Page 1, line 16, remove " :or"

Page 1, remove lines 17 through 22

Page 2, line 1, remove "(2)"

Page 2, line 3, after the period insert "Stalking includes the unauthorized tracking of the person's movements or location through use of a global positioning system or other electronic device."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1365, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1365 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1401, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1401 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1403, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1403 was placed on the Sixth order on the calendar.

Page 1, line 12, after "b." insert "Immediate family member" means a spouse, parent, child, or sibling as provided under section section 12.1-17-07.1.

c."

Page 1, line 13, replace "c." with "d."

Page 1, line 14, replace "d." with "e."

Page 1, line 18, after "employee's" insert "immediate"

Page 2, line 1, after "employee's" insert "immediate"

Page 2, line 3, replace the first "a" with "an immediate"

Page 2, line 6, replace "a" with "an immediate"

Page 2, line 8, after "employee's" insert "immediate"

Page 2, after line 12, insert:

f. In the discretion of the employee's supervisor, the sick leave hours may be limited to forty hours per calendar year.

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1455, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1455 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3022: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3022 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3033: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3033 was placed on the Fourteenth order on the calendar.

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

Jane Schaible, Secretary