

JOURNAL OF THE SENATE

Sixty-fourth Legislative Assembly

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Bismarck, March 30, 2015

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

The prayer was offered by Senator Gary Lee, District 22.

The roll was called and all members were present.

A quorum was declared by the President.

PRAYER OF SENATOR G. LEE

Let us pray. Heavenly Father, you have blessed us mightily; planting us here in this exceptional Nation - America. As the old song lyrics read, "My Country tis of thee, sweet land of liberty". We have been given privilege, freedom, choice.

We have been called to defend it too, in a host of different ways. And many, many have given much to ensure that value of self-determination still prevails. And help us, oh Father God, not to squander what others have fought so hard to keep.

Continue to bless this Country, heavenly Father, and not allow us to forget what You have provided. Be our Guide, so that the anthem we routinely recite will remain true; and we will continue as one nation under God, indivisible, with liberty and justice for all.

In Jesus name I pray, Amen.

MOTION

SEN. KLEIN MOVED the Senate be on the 4th Order for purpose of a Memorial Service to Honor Vietnam Veterans, which motion prevailed.

**PROCLAMATION
VIETNAM VETERANS DAY
MARCH 29, 2015**

WHEREAS, this year marks the 40th anniversary of the end of American involvement in the Vietnam conflict; and

WHEREAS, thousands of brave Americans served our country in this conflict with courage, honor and valor; and

WHEREAS, more than 58,000 individuals made the ultimate sacrifice in Vietnam and thousands more were wounded in combat; and

WHEREAS, many Americans are still missing and unaccounted for from the Vietnam conflict, and their families, friends and fellow veterans still endure uncertainty concerning their fate; and

WHEREAS, North Dakota citizens are encouraged to honor and thank our Vietnam veterans for all they have given in service to this country, and to remember the heroes from this great state whose names are listed on the Vietnam Veterans Memorial Wall in Washington, D.C., and those who are or were missing in action or prisoners of war.

NOW, THEREFORE, as Governor of the State of North Dakota, I do hereby proclaim **March 29, 2015, VIETNAM VETERANS DAY** in the state of North Dakota.

Jack Dalrymple
Governor

ATTEST:

Alvin A. Jaeger
Secretary of State

MOTION

SEN. KLEIN MOVED that a committee of two be appointed to escort Senator Marcellais and his son Chad Marcellais to the rostrum, which motion prevailed.

THE PRESIDENT APPOINTED Senators Dotzenrod and Dever to the Escort Committee.

REMARKS OF SENATOR MARCELLAIS

Mr. President, Ladies and Gentlemen of the Senate, my Veteran Sisters and Brothers, Relatives and Friends:

It is an honor to speak on this 40th Anniversary of the Vietnam Era Conflict. The Vietnam Era Conflict began in 1959 and ended in 1975.

I am proud to be a Vietnam Veteran 1968-1969, US Army, 41st Signal Battalion, Qui Nhon, Vietnam on the South China Sea.

I come from a military family of veterans. My dad was in the US Navy during WWII, my uncle Willard - US Navy WWII, Uncle Clarence - US Army Korean War, Peter, Patrick, Maynard - US Army, Uncle Gene - US Marines, and Uncle Dick - US Air Force. At this time I want to recognize my wife of 47 years, Betty.

During the Sixty-First Legislative Session Assembly 2009, Senate Bill 2192 was introduced to designate March 29th as Vietnam Veterans Day in North Dakota. Each year the Governor shall issue a proclamation on March 29th in honor and remembrance of the surviving and departed Vietnam Veterans Memorial Wall in Washington, DC.

US Troops fought a jungle war, mostly against the Viet Cong. The Viet Cong would attack in ambushes mostly at night, set up booby traps and escape through a complex network of underground tunnels that were checked by the US Troops known as "tunnel rats". For US Forces, even just finding the enemy proved to be difficult. Since the Viet Cong hid in the dense jungle, US Forces would drop Agent Orange Bombs, which cleared an area by causing the leaves to drop or to burn away. US Forces had a difficult time determining which, if any, villagers were the enemy, since even women and children could build booby traps or help house and feed the Viet Cong. US Troops commonly became frustrated with the fighting conditions in Vietnam. Many suffered from low morale and became angry and some used drugs.

There were 2.59 million American Veterans that served in country during the Vietnam Era Conflict. I want everyone to remember the 58,282 American Vietnam Veterans, especially the 198 from North Dakota that were killed in action, and the more than 2,646 Americans remains that are left unaccountable from the conflict.

Some of the facts from the Vietnam Era Conflict:

- 91% of Vietnam Veterans say they were glad they served.
- 74% Vietnam Veterans said they would serve again even knowing the results.
- 5 Americans killed in Vietnam were only 16 years of age.
- The oldest American killed in Vietnam was 62 years of age.
- Without the helicopter, it would have taken three times as many troops to secure the 800 mile border along Cambodia and Laos.
- One out of every 10 American's who served in Vietnam was a casualty.
- 75,000 Vietnam Veterans were severely disabled.
- Vietnam Veterans were the best educated forces our nation has ever sent to combat.
- 79% had a high school education or better.
- 87% of American's hold Vietnam Veterans in high esteem.
- The American Military did not lose one major battle during our entire involvement, including Tet 68, which was a major military defeat for the Viet Cong and North Vietnam Army.
- The Fall of Saigon happened two years after the American Military left Vietnam.
- There were 151 Medal of Honor recipients.
- There were 8 females killed in Vietnam.
- Following the Paris Peace Talks, 591 American Prisoners of War were returned during Operation Homecoming.

- The United States listed about 1,350 Americans as Prisoners of War or Missing in Action, and roughly 1,200 Americans reported Killed in Action and their bodies were never recovered.
- The National League of Families created the Prisoner of War and Missing in Action (POW/MIA) flag in 1971 when the war was still in progress.

Before closing, I want my son, Chad, to sing a song to remember all our fallen heroes that gave their lives for the United States of America.

I want to thank all my Vietnam Veteran sisters and brothers for serving the United States of America, and I want to wish all of them a welcome home, which they never received. Thank you! God Bless America, God Bless the great state of North Dakota and God Bless all our Veterans that served.

MOTION

SEN. KLEIN MOVED that the remarks of Senator Marcellais be printed in the Journal, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1116, as engrossed: SEN. J. LEE (Human Services Committee) MOVED that the amendments on SJ pages 968-969 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 1116: A BILL for an Act to amend and reenact sections 23-02.1-01, 23-02.1-13, 23-02.1-15, 23-02.1-19, 23-02.1-20, 23-02.1-25, and 23-02.1-27, and subsection 5 of section 23-02.1-30 of the North Dakota Century Code, relating to the Health Statistics Act; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Warner

Engrossed HB 1116, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1126, as engrossed: SEN. LUICK (Judiciary Committee) MOVED that the amendments on SJ page 969 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 1126: A BILL for an Act to amend and reenact sections 26.1-26.6-01, 26.1-26.6-04, 26.1-26.6-05, and 26.1-26.6-07 of the North Dakota Century Code, relating to bail bond agents and defendant retrieval; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Warner

Engrossed HB 1126, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1136, as engrossed: SEN. NELSON (Judiciary Committee) MOVED that the amendments on SJ pages 969-972 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 1136: A BILL for an Act to create and enact chapter 10-32.1 of the North Dakota Century Code, relating to the regulation of limited liability companies and foreign liability companies; to amend and reenact subsections 5 and 12 of section 10-01.1-02, sections 10-06.1-05, 10-06.1-12, 10-06.1-14, 10-06.1-17, subsections 27, 31, and 34 of section 10-19.1-01, paragraph 2 of subdivision e of subsection 1 and subdivision c of subsection 6 of section 10-19.1-13, subsection 9 of section 10-19.1-100, subsection 3 of section 10-19.1-102, paragraph 2 of subdivision e of subsection 2 of section 10-19.1-104.1, subsection 1 of section 10-31-02.1, section 10-31-03.1, subdivision a and paragraph 3 of subdivision b of subsection 2 and subsections 5 and 6 of section 10-31-13, subdivisions a and b of subsection 7 of section 10-31-13.1, paragraph 2 of subdivision e of subsection 1 and subdivision c of subsection 6 of section 10-33-10, subsection 1 of section 10-33-72, sections 10-36-03, 38-08.1-03, and 43-07-19, subsection 23 of section 45-10.2-02, paragraph 2 of subdivision f of subsection 1 and subdivision c of subsection 6 of section 45-10.2-10, paragraph 2 of subdivision a of subsection 2 of section 45-10.2-94, paragraph 2 of subdivision e of subsection 1 and subdivision c of subsection 6 of section 45-13-04.1, subdivision b of subsection 1 and paragraph 2 of subdivision a of subsection 11 of section 45-21-01, paragraph 2 of subdivision e of subsection 1 and subdivision c of subsection 5 of section 45-22-04, paragraph 2 of subdivision a of subsection 13 of section 45-23-01, paragraph 2 of subdivision f of subsection 1 and subdivision c of subsection 5 of section 45-23-03, section 50-22-02.2, and subsection 3 of section 54-44.4-09 of the North Dakota Century Code, relating to limited liability companies; to repeal chapter 10-32 of the North Dakota Century Code, relating to limited liability companies; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Warner

Engrossed HB 1136, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1437, as engrossed: SEN. BEKKEDAH (Finance and Taxation Committee) MOVED that the amendments on SJ pages 974-975 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 1437: A BILL for an Act to amend and reenact subsection 9 of section 57-51.1-03 of the North Dakota Century Code, relating to extending the date to qualify for the triggered oil extraction tax rate reduction for new horizontal wells; and to provide an effective 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: Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Flakoll; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Miller; O'Connell; Oban; Oehlke; Poolman; Rust; Schaible; Sorvaag; Triplett; Unruh; Wanzek; Wardner

NAYS: Anderson; Axness; Dotzenrod; Grabinger; Marcellais; Mathern; Murphy; Nelson; Robinson; Schneider; Sinner; Warner

Engrossed HB 1437, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1272, as engrossed: SEN. LARSEN (Human Services Committee) MOVED that the amendments on SJ page 973 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 1272: A BILL for an Act to provide for a report to the legislative management regarding medical psychologist licensure; and to provide an appropriation.

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 6 YEAS, 41 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Davison; Dever; Larsen; Lee, J.; Unruh

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

Engrossed HB 1272, as amended, failed.

CONSIDERATION OF AMENDMENTS

HB 1284: SEN. COOK (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 973-974 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 1284: A BILL for an Act to amend and reenact subsection 2 of section 21-03-10.1 and section 21-03-13 of the North Dakota Century Code, relating to the contents of bond election ballots.

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; 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; Murphy; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

NAYS: Mathern; Nelson

HB 1284, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1191, as engrossed: SEN. BEKKEDAH (Political Subdivisions Committee) **MOVED** that the amendments on SJ pages 972-973 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 1191: A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to service or assistance animals in rental dwelling units.

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

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

NAYS: Axness; Campbell; Casper; Mathern

Engrossed HB 1191, as amended, passed.

MOTION

SEN. KLEIN MOVED that Engrossed HB 1112 be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1112 was rereferred.

SECOND READING OF HOUSE BILL

HB 1378: A BILL for an Act to provide for a legislative management study, decisions, and directive regarding the federal Affordable Care Act and the state's benchmark plan and state-based essential health benefits package for the 2017 plan year and beyond.

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

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

NAYS: Bowman; Larsen; Miller

HB 1378 passed.

SECOND READING OF HOUSE BILL

HB 1407: A BILL for an Act to amend and reenact section 12.1-32-15 of the North Dakota Century Code, relating to the registration of sex offenders and offenders against children who are homeless; to provide a penalty; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Warner

Engrossed HB 1407 passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1053: A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota Century Code, relating to centralized desktop support services; and to amend and reenact section 54-59-05 of the North Dakota Century Code, relating to the powers and duties of the information technology department.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 43 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Larsen; Mathern; Miller; Robinson

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

HB 1053 failed.

SECOND READING OF HOUSE BILL

HB 1083: A BILL for an Act to provide for a legislative management study of statutory and regulatory requirements placed on North Dakota state government agencies by United States government agencies.

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; 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; Warner

HB 1083 passed.

SECOND READING OF HOUSE BILL

HB 1094: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to prohibiting executive branch elected officials from establishing nonprofit foundations and public corporations.

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

YEAS: Hogue; Mathern

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

Engrossed HB 1094 failed.

SECOND READING OF HOUSE BILL

HB 1246: A BILL for an Act to amend and reenact section 54-44.3-01.2 of the North Dakota Century Code, relating to compensation level comparisons; 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 NOT PASS, the roll was called and there were 4 YEAS, 43 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Armstrong; Larsen; Miller; O'Connell

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

Engrossed HB 1246 failed.

MOTION

SEN. KLEIN MOVED that HB 1348 be placed at the top of the Fourteenth order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1348: A BILL for an Act to amend and reenact subsection 1 of section 16.1-07-08 and section 16.1-11.1-03 of the North Dakota Century Code, relating to delivery of absent voters' ballots and mail 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 6 YEAS, 41 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Campbell; Dotzenrod; Heckaman; Lee, J.; Murphy; O'Connell

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

Engrossed HB 1348 passed.

REQUEST

SEN. J. LEE REQUESTED that the Journal reflect she intended to vote NAY on HB 1348, which request was granted.

SECOND READING OF HOUSE BILL

HB 1302: A BILL for an Act to provide for a legislative management study of voter registration.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 28 YEAS, 19 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Axness; Campbell; Davison; Dever; Dotzenrod; Flakoll; Grabinger; Heckaman; Holmberg; Krebsbach; Laffen; Lee, J.; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Robinson; Rust; Schneider; Sinner; Sorvaag; Triplett; Wardner; Warner

NAYS: Armstrong; Bekkedahl; Bowman; Burckhard; Carlisle; Casper; Cook; Erbele; Hogue; Kilzer; Klein; Larsen; Lee, G.; Luick; Oehlke; Poolman; Schaible; Unruh; Wanzek

Engrossed HB 1302 passed.

SECOND READING OF HOUSE BILL

HB 1444: A BILL for an Act to create and enact a new subsection to section 54-14-04.3 of the North Dakota Century Code, relating to the termination of employment and personal service contracts.

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

YEAS: Klein; Laffen; Larsen; Miller

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

Engrossed HB 1444 failed.

SECOND READING OF HOUSE BILL

HB 1428: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to state employee harassment policies.

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 40 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Anderson; Bowman; Hogue; Laffen; Larsen; Lee, G.; Unruh

Engrossed HB 1428 passed.

SECOND READING OF HOUSE BILL

HB 1414: A BILL for an Act to amend and reenact section 16.1-11-22 of the North Dakota Century Code, relating to the form of the primary election ballot.

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

YEAS: Dotzenrod; Marcellais; Miller; O'Connell; Sorvaag

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

HB 1414 failed.

SECOND READING OF HOUSE BILL

HB 1280: A BILL for an Act to provide for a legislative management study of the feasibility and desirability of reorganizing and restructuring the department of human services.

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 13 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Armstrong; Campbell; Casper; Cook; Erbele; Laffen; Luick; Mathern; Miller; Robinson; Schaible; Schneider; Unruh

NAYS: Anderson; Axness; Bekkedahl; Bowman; Burckhard; Carlisle; Davison; Dever; Dotzenrod; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Marcellais; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Rust; Sinner; Sorvaag; Triplett; Wanzek; Wardner; Warner

HB 1280 failed.

SECOND READING OF HOUSE BILL

HB 1311: A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to electronic delivery of property and casualty insurance notices and documents.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Warner

Engrossed HB 1311 passed.

SECOND READING OF HOUSE BILL

HB 1187: A BILL for an Act to create and enact a new section to chapter 38-01 of the North Dakota Century Code, relating to orders of the industrial commission.

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, 47 NAYS, 0 EXCUSED, 0 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; Warner

Engrossed HB 1187 failed.

SECOND READING OF HOUSE BILL

HB 1445: A BILL for an Act to amend and reenact sections 16.1-15-04, 16.1-15-05, and 16.1-15-06 of the North Dakota Century Code, relating to election canvass reports.

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, 1 NAYS, 0 EXCUSED, 0 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; 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; Warner

NAYS: Larsen

HB 1445 passed.

SECOND READING OF HOUSE BILL

HB 1213: A BILL for an Act to amend and reenact section 44-01-01 of the North Dakota Century Code, relating to eligibility requirements for appointive offices.

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 1 YEAS, 45 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Larsen

NAYS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; 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; Warner

ABSENT AND NOT VOTING: Dotzenrod

Engrossed HB 1213 failed.

MOTION

SEN. KLEIN MOVED that HB 1459 and HCR 3040 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3003: A concurrent resolution directing the Legislative Management to study state contributions to state employee health insurance premiums, including the effect of the federal Affordable Care Act on the state uniform group insurance program.

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

HCR 3003 was declared adopted on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3006: A concurrent resolution directing the Legislative Management to study the feasibility and desirability of state, federal, and tribal collaboration in providing services for tribal youth in the state who are adjudicated in tribal courts.

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

HCR 3006 was declared adopted on a voice vote.

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

MR. SPEAKER: The Senate has passed, unchanged: HCR 3005.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1030, HB 1035, HB 1038, HB 1041, HB 1051, HB 1056, HB 1165, HB 1279, HB 1321, HB 1368, HB 1403, HCR 3052.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1111.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1475.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2331, SCR 4005.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2035, SB 2050, SB 2097.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2035

Page 1, line 7, replace "a" with "studies by the"

Page 1, line 7, replace "study" with "and industrial commission"

Page 8, line 18, remove "or expand"

Page 8, line 19, after "state" insert ", and any component integral to the fertilizer or chemical processing plant."

Page 8, line 22, remove "Tangible personal property used to replace an existing facility"

Page 8, remove line 23

Page 8, line 24, replace "replacement creates an expansion of the facility." with "The exemption provided in this section applies to all phases of construction under the permit or application for permit required by subsection 2. An integral component to the fertilizer or chemical processing plant:

- a. May be owned directly or indirectly by the fertilizer or chemical processing facility, or by an unrelated third party;
 - b. Must be located at the facility site; and
 - c. Must be necessary for the plant's processing of fertilizer or chemicals.
2. On or before June 30, 2017, the owner of the fertilizer or chemical processing plant must receive from the department of health an air quality permit or a notice that the air quality permit application is complete. The owner shall provide this documentation to the tax commissioner to qualify for the exemption under this section. Denial, expiration, or revocation of a permit terminates the exemption under this section."

Page 8, line 25, replace "2." with "3."

Page 8, line 27, remove "or expand"

Page 9, line 1, replace "3." with "4."

Page 9, line 8, replace "4." with "5."

Page 10, line 7, remove "or expand"

Page 10, line 9, replace "1" with "2"

Page 10, after line 17, insert:

"SECTION 5. OIL AND GAS RESEARCH - NATURAL GAS PRODUCTION STUDY.
The industrial commission may use the sum of one hundred thousand dollars from the oil and gas research fund, or so much of the amount as may be necessary, pursuant to its continuing appropriation under section 57-51.1-07.3 for the purpose of contracting for an independent, non-matching natural gas production study."

Re-number accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2050

Page 1, line 2, after "disabled" insert ";and to amend and reenact subsection 2 of section 50-24.1-07 of the North Dakota Century Code, relating to claims against an estate"

Page 1, after line 16, insert:

"SECTION 2. AMENDMENT. Subsection 2 of section 50-24.1-07 of the North Dakota Century Code is amended and reenacted as follows:

2. a. A claim may not be required to be paid nor may interest begin to accrue during the lifetime of the decedent's surviving spouse, if any, nor while there is a surviving child who is under the age of twenty-one years or is blind or permanently and totally disabled, but no timely filed claim may be disallowed because of the provisions of this section.
- b. The department may not file a claim against an estate to recover payments made on behalf of a recipient who was eligible for

medicaid under section 50-24.1-37 and who received coverage through a private carrier."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2097

Page 1, line 11, replace the second "a" with "an individual"

Page 1, line 12, replace "booth renter" with "under this chapter"

Page 1, line 21, remove "braiding."

Page 2, line 2, remove "manipulation of eyelashes."

Page 2, line 15, remove the overstrike over the coma

Page 2, remove the overstrike over line 16

Page 2, line 17, remove the overstrike over "a. Laser use"

Page 2, line 18, remove the overstrike over ";-and"

Page 2, line 19, remove the overstrike over "b. Chemical peels"

Page 2, line 19, remove the overstrike over "using:"

Page 2, line 20, remove the overstrike over "(1) Thirty percent"

Page 2, line 20 after "percent" insert "or higher concentration of"

Page 2, line 20, remove the overstrike over "alpha-hydroxy acid"

Page 2, line 21, remove the overstrike over the semicolon

Page 2, line 22, remove the overstrike over "(2) Twenty percent"

Page 2, line 22, after "percent" insert "or higher concentration of"

Page 2, line 22, remove the overstrike over "beta-hydroxy acid"

Page 2, line 23, remove the overstrike over the semicolon

Page 2, line 24, remove the overstrike over "(3) Two percent"

Page 2, line 24, after "percent" insert "or higher concentration of"

Page 2, line 24, remove the overstrike over "resorcinol"

Page 2, line 24, after "resorcinol" insert an underscored semicolon

Page 2, line 24, after "higher" insert:

"(4) Fifteen percent or higher concentration of trichloroacetic acid (TCA); or

(5) Fifteen percent or higher concentration of phenol"

Page 4, line 10, overstrike "Skin" and insert immediately thereafter "Non-invasive skin"

Page 4, line 10, after "provided" insert "by a licensed esthetician or cosmetologist are not required to be performed in a licensed cosmetology salon when such services are being provided"

Page 4, line 12, after "or" insert "an advance practice"

Page 4, line 19, remove the overstrike over "~~The other two members~~"

Page 4, line 19, remove "One member"

Page 4, line 19, remove the overstrike over "~~be citizen~~"

Page 4, line 20, remove the overstrike over "~~members, at least one of whom has~~"

Page 4, line 20, remove "have"

Page 4, line 21, remove "One member of the board must be a physician licensed to practice"

Page 4, remove lines 22 and 23

Page 5, line 11, remove the overstrike over "~~Cosmetology salon~~"

Page 5, line 11, remove "Salon"

Page 5, line 12, remove the overstrike over "~~cosmetology~~"

Page 5, line 14, remove "A manicuring salon must be operated and supervised by a master cosmetologist"

Page 5, remove lines 15 and 16

Page 5, line 24, replace "Compiled" with "Complied"

Page 8, line 5, replace "one hundred" with "twenty"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SB 2147, SB 2339.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2057, SB 2096, SB 2130, SB 2145, SB 2209, SB 2285, SB 2324, and SB 2371.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2057, SB 2096, SB 2130, SB 2145, SB 2209, SB 2270, SB 2285, SB 2324, SB 2371.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1228, HB 1309, HB 1467, HCR 3012, HCR 3037, HCR 3048, HCR 3049.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: The President has signed: SB 2261, SB 2329, SB 2375.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1032, HB 1096, HB 1114, HB 1184, HB 1356, HB 1389, HB 1391.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HCR 3001.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 30, 2015: SB 2261, SB 2329, SB 2375.

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 1:30 p.m., Tuesday, March 31, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1078, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1078 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1081, as amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1081, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1085: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1085 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "Each" with:

"1. Biennially, each"

Page 1, remove lines 11 through 15

Page 1, line 16, remove "preceding biennium that constitutes federal funds, and"

Page 1, line 17, after "by" insert "five percent or more of the total federal funds the state agency receives. The report must include information on whether the agency will request state funds to offset the decrease in federal funds. The report is not required to address a reduction in federal funds received by the agency which is a result of"

Page 1, replace lines 18 and 19 with:

- "a. A decrease in caseloads or cost per case
- b. A change in the anticipated project completion date for a construction project qualifying for federal fund reimbursement; or
- c. The completion of a one-time project funded in whole or in part by federal funds.

2."

Page 1, line 21, replace "odd-numbered" with "even-numbered"

Page 1, line 22, remove "and"

Page 1, line 23, replace "a listing of state agencies that are not required to submit a report" with "on how each agency will operate with the reduction in federal funds"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1145: Energy and Natural Resources Committee (Sen. Schaible, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1145 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "38-08" with "61-04"

Page 1, line 4, replace "38-08" with "61-04"

Page 1, line 7, replace "may not use" with "that uses"

Page 1, line 7, replace "unless the operator receives" with "for hydraulic fracturing purposes shall obtain"

Page 1, line 8, remove ". the amount of water per shipment, and the name of the"

Page 1, line 9, remove "person owning the means of shipment"

Page 1, line 10, after "and" insert "upon request"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1158, as amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1158, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1186, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1186 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1194, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1194 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1235, as reengrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1235 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1249, as engrossed: Energy and Natural Resources Committee (Sen. Schaible, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1249 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "empower"

Page 1, line 6, remove "**empower**"

Page 1, line 7, remove "is"

Page 1, line 8, replace "essential for providing" with "provides"

Page 1, line 9, remove "empower"

Page 1, line 10, replace "create a unified vision and voice for North Dakota and its" with "coordinate communication among"

Page 1, line 11, replace the second underscored comma with "and"

Page 1, line 12, remove ". and state agencies"

Page 1, line 12, after the underscored period insert "A member or employee of the council may not represent to any person that the council has the authority to negotiate on behalf of the state."

Page 1, remove lines 16 through 24

Page 2, remove lines 1 through 4

Page 2, line 5, replace "k." with:

"a. A representative of domestic water supply interests:

- b. A representative of energy interests:
- c. A representative of historical and cultural values protection:
- d. A representative of industrial water supply interests:
- e. A representative of irrigation interests:
- f. A representative of natural resource conservation issues, including fish and wildlife:
- g. A representative of public recreational facilities:
- h. A representative of water quality interests:
- i."

Page 2, line 6, replace "Additional voting members of the council must include" with "The governor shall invite the following to join the council as voting members"

Page 2, line 8, after the underscored semicolon insert "and"

Page 2, line 9, remove "; and"

Page 2, line 10, remove "c. The chairman of the Trenton Indian service area, or designee"

Page 2, line 11, remove "The following entities may be represented on the council, but are nonvoting members:"

Page 2, remove lines 12 through 22

Page 2, line 23, remove "5."

Page 2, line 25, after "the" insert "expiration of"

Page 2, line 25, remove "of at least four members expire each"

Page 2, line 26, replace "year" with "is evenly distributed"

Page 2, line 26, after "for" insert "one"

Page 2, line 26, replace "terms" with "term"

Page 2, line 28, replace "6." with "4."

Page 2, line 29, replace "7." with "5."

Page 3, remove line 1

Page 3, line 6, replace the first underscored comma with "and"

Page 3, line 6, remove ", and state agencies"

Page 3, line 11, remove "The council shall recommend ways to strengthen"

Page 3, remove lines 12 through 14

Page 3, line 15, replace "county and stakeholder" with "appointed"

Page 3, line 17, replace "ten" with "six"

Page 3, line 18, replace the first underscored comma with "or"

Page 3, line 18, remove ", or state agencies"

Page 3, line 20, replace "or" with "to"

Page 3, line 20, after "accomplish" insert "its"

Page 3, line 20, replace "protect" with "fairly represent"

Page 3, line 20, remove "and rights"

Page 3, line 23, replace "their" with "its"

Page 3, line 23, remove ", along with erosion and"

Page 3, line 24, remove "sedimentation, the management of federal lands."

Page 3, line 26, replace "potential legislation" with "recommendations"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1352: Energy and Natural Resources Committee (Sen. Schaible, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1352 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1358, as reengrossed: Energy and Natural Resources Committee (Sen. Schaible, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1358 was placed on the Sixth order on the calendar.

Page 1, line 3, after "reenact" insert "subsection 18 of section 38-08-02,"

Page 1, line 6, replace "pipeline bonds" with "pipelines"

Page 1, after line 10, insert:

"SECTION 1. AMENDMENT. Subsection 18 of section 38-08-02 of the North Dakota Century Code is amended and reenacted as follows:

18. "Underground gathering pipeline" means an underground gas or liquid pipeline ~~that~~with associated above ground equipment which is designed for or capable of transporting crude oil, natural gas, carbon dioxide, or water produced in association with oil and gas which is not subject to chapter 49-22. As used in this subsection, "associated above ground equipment" means equipment and property located above ground level, which is incidental to and necessary for or useful for transporting crude oil, natural gas, carbon dioxide, or water produced in association with oil and gas from a production facility. As used in this subsection, "equipment and property" includes a pump, a compressor, storage, leak detection or monitoring equipment, and any other facility or structure."

Page 1, line 15, replace "The operator of an" with "The application of this section is limited to an"

Page 1, line 15, after "pipeline" insert "that is"

Page 1, line 16, after "and" insert "which was"

Page 1, line 17, replace the second underscored comma with ". Within sixty days of an underground gathering pipeline being placed into service, the operator of that pipeline"

Page 1, line 17, after "commission" insert "the underground gathering pipeline"

Page 1, line 17, after "engineering" insert "final construction"

Page 1, line 17, replace "a" with "specifications, an independent inspector's"

Page 1, line 18, replace "inspection from a qualified third party" with "hydrostatic or pneumatic testing of the underground gathering pipeline, and a plan for leak detection and monitoring"

Page 1, line 18, remove "The"

Page 1, lines 19 through 21

Page 2, line 25, replace "adversely affected" with "impacted"

Page 2, line 26, after "development" insert an underscored comma

Page 2, line 26, replace "which" with "that"

Page 2, line 29, after the underscored period insert "Land and water degraded by any willful act of the current or any former surface owner are not eligible for reclamation or restoration."

Page 3, line 24, replace "intended to transfer" with "transferring"

Page 4, line 7, remove "A surface owner may request a review of the temporarily abandoned"

Page 4, remove lines 8 through 10

Page 4, line 11, remove "review of the temporarily abandoned status every two years."

Page 4, line 22, after the period insert "A surface owner may request a review of the temporarily abandoned status of a well that has been on temporarily abandoned status for at least seven years. The commission shall require notice and hearing to review the temporarily abandoned status. After notice and hearing, the surface owner may request a review of the temporarily abandoned status every two years."

Page 4, line 27, replace "shall" with "may"

Page 4, line 28, replace "from" with "into"

Page 5, line 12, after "of" insert "crude oil and"

Page 5, line 19, after "of" insert "crude oil and"

Page 5, line 19, after "pipelines" insert ", determine the feasibility and cost effectiveness of requiring leak detection and monitoring technology on expansion of existing pipeline systems,"

Page 5, line 23, remove "on pipeline flow monitoring"

Page 5, line 23, replace "working" with "pipeline"

Page 5, line 24, after "detection" insert "and monitoring"

Page 5, line 30, replace "removing" with "remediating"

Page 5, line 30, after "salt" insert "and any other contamination"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1394, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1394 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1395, as engrossed: Transportation Committee (Sen. Oehlke, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1395 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1409, as engrossed: Energy and Natural Resources Committee (Sen. Schaible, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1409 was placed on the Sixth order on the calendar.

Page 4, line 5, replace "eight" with "six"

Page 4, line 7, remove the overstrike over "fifteen"

Page 4, line 7, remove "twenty"

Page 4, line 8, remove the overstrike over "thirty"

Page 4, line 8, remove "forty"

Page 8, line 7, replace "eight" with "six"

Page 8, line 9, remove the overstrike over "fifteen"

Page 8, line 9, remove "twenty"

Page 8, line 10, remove the overstrike over "thirty"

Page 8, line 10, remove "forty"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1474, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1474 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 amend and reenact sections 16.1-03-02 and 16.1-03-05 of the North Dakota Century Code, relating to political organizations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16.1-03-02 of the North Dakota Century Code is amended and reenacted as follows:

16.1-03-02. Who may participate in and vote at caucus.

1. Only those individuals who are qualified electors under section 16.1-01-04 may vote or be elected as committeemen or officers at the precinct caucus.
2. ~~Only those individuals who either voted or affiliated with the party at the last general election or intend to affiliate with the party and vote with the party at the next election may vote at the precinct caucus.~~
- 3- In case the right of an individual to participate at the caucus is challenged, the question of the individual's right to participate must be decided by a vote of the whole caucus. An individual so challenged may not vote on the question of the individual's right to participate in the caucus, and a two-thirds vote of the whole caucus is required to exclude an individual from participation.

- 4-3. An individual may not vote or participate at more than one precinct caucus in any one year.

SECTION 2. AMENDMENT. Section 16.1-03-05 of the North Dakota Century Code is amended and reenacted as follows:

16.1-03-05. Vacancies in office of precinct committeeman - Filling.

A vacancy in the office of precinct committeeman, which occurs after the organization of the district committee, may be filled by appointment ~~from the precinct by the district executive committee of the party, as authorized by the district party by-laws.~~"

Renumber accordingly

FIRST READING OF HOUSE BILL

HB 1475: A BILL for an Act to create and enact sections 54-52.1-05.1 and 54-52.1-05.2 of the North Dakota Century Code, relating to the public employees retirement system uniform group insurance program health insurance benefits coverage policy and contract; to amend and reenact sections 54-52.1-04 and 54-52.1-05 of the North Dakota Century Code, relating to the uniform group insurance program health insurance benefits coverage policy and contract; to provide a statement of legislative intent; to provide for an exception; and to declare an emergency.

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

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

Jane Schaible, Secretary