

## JOURNAL OF THE SENATE

## Sixty-second Legislative Assembly

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Bismarck, April 1, 2011

The Senate convened at 8:00 a.m., with President Wrigley presiding.

The prayer was offered by Reverend Darrel Aleson, St. Alexius Medical Center, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

## MOTION

**SEN. CHRISTMANN MOVED** that SB 2071 be placed at the top of the Twelfth order, which motion prevailed.

## CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. DEVER MOVED** that the Senate do concur in the House amendments to SB 2071 as printed on SJ page 680, which motion prevailed on a voice vote.

SB 2071, as amended, was placed on the Eleventh order of business.

## SECOND READING OF SENATE BILL

**SB 2071:** A BILL for an Act to create and enact a new subsection to section 37-17.1-05 of the North Dakota Century Code, relating to calling up retired former members of the North Dakota national guard to state active duty in times of disasters or emergencies; 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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed SB 2071 passed and the emergency clause was declared carried.

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## MOTION

**SEN. CHRISTMANN MOVED** that SB 2071 be messaged to the House immediately, which motion prevailed.

## MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2071, SB 2108.

## CONSIDERATION OF AMENDMENTS

**HB 1011, as engrossed: SEN. KREBSBACH (Appropriations Committee) MOVED** that the amendments on SJ pages 1059-1060 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 1011:** A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1011, as amended, passed.

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**CONSIDERATION OF AMENDMENTS**

**HB 1350, as engrossed: SEN. O'CONNELL (Appropriations Committee) MOVED** that the amendments on SJ pages 1065-1066 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 1350:** A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.

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

**YEAS:** Christmann; Dever; Flakoll; Grindberg; Hogue; Klein; Laffen; Larsen; Miller; Sitte; Stenehjerm; Wanzek

**NAYS:** Andrist; Berry; Bowman; Burckhard; Cook; Dotzenrod; Erbele; Fischer; Freborg; Heckaman; Holmberg; Kilzer; Krebsbach; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sorvaag; Taylor; Triplett; Uglem; Wardner; Warner

Engrossed HB 1350, as amended, lost.

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**CONSIDERATION OF AMENDMENTS**

**HB 1029, as engrossed: SEN. HECKAMAN (Education Committee) MOVED** that the amendments on SJ pages 1060-1062 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 1029:** A BILL for an Act to create and enact sections 15.1-06-06.1, 15.1-06-06.2, and 15.1-06-06.3 of the North Dakota Century Code, relating to school approval; to amend and reenact sections 15.1-02-11, 15.1-06-06, 15.1-13-18, 15.1-13-19, and 15.1-13-25 of the North Dakota Century Code, relating to school approval; to repeal sections 15.1-27-08 and 15.1-27-09 of the North Dakota Century Code, relating to payment reductions for unaccredited schools; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson;

Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1029, as amended, passed and the emergency clause was declared carried.

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#### MOTION

**SEN. CHRISTMANN MOVED** that HB 1057, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

**HB 1327, as engrossed: SEN. NELSON (Judiciary Committee) MOVED** that the amendments on SJ pages 1064-1065 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 1327:** A BILL for an Act to amend and reenact sections 37-17.1-04 and 37-17.1-10 of the North Dakota Century Code, relating to definitions and authority to evacuate during a local disaster or emergency; 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 18 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Dotzenrod; Heckaman; Holmberg; Krebsbach; Laffen; Lee, J.; Luick; Lyson; Mathern; Nelson; Nething; Nodland; O'Connell; Olafson; Robinson; Schaible; Schneider; Sorvaag

**NAYS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Kilzer; Klein; Larsen; Lee, G.; Marcellais; Miller; Murphy; Oehlke; Sitte; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1327, as amended, lost.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. J. LEE MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2276 as printed on SJ pages 1022-1024 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2276: Sens. J. Lee, Uglem, Mathern.

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. J. LEE MOVED** that the Senate do not concur in the House amendments to SB 2067 as printed on SJ page 900 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE PRESIDENT APPOINTED** as a Conference Committee on SB 2067: Sens. J. Lee, Berry, Mathern.

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. ANDRIST MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2157 as printed on SJ page 1022 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2157:

Sens. Dotzenrod, Laffen, Andrist.

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. FLAKOLL MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2085 as printed on SJ page 877 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2085: Sens. Miller, Luick, Murphy.

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. J. LEE MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2155 as printed on SJ pages 995-996 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2155: Sens. Uglem, J. Lee, Mathern.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1085, Engrossed HB 1091, Engrossed HB 1092, HB 1124, Engrossed HB 1204, Engrossed HB 1214, Engrossed HB 1229, Engrossed HB 1246, HB 1252, Engrossed HB 1270, Engrossed HB 1421, and Reengrossed HB 1425, which motion prevailed.

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed HB 1085:** Sens. Dever, Uglem, Berry  
**Engrossed HB 1091:** Sens. Andrist, Laffen, Schneider  
**Engrossed HB 1092:** Sens. Schaible, Flakoll, Marcellais  
**HB 1124:** Sens. Oehlke, Burckhard, Triplett  
**Engrossed HB 1204:** Sens. Nething, Sitte, Sorvaag  
**Engrossed HB 1214:** Sens. Flakoll, Schaible, Marcellais  
**Engrossed HB 1229:** Sens. G. Lee, Freborg, Heckaman  
**Engrossed HB 1246:** Sens. Hogue, Burckhard, Dotzenrod  
**HB 1252:** Sens. Dever, J. Lee, Mathern  
**Engrossed HB 1270:** Sens. G. Lee, Luick, Heckaman  
**Engrossed HB 1421:** Sens. Nodland, Larsen, Schneider  
**Reengrossed HB 1425:** Sens. Larsen, Nodland, Murphy

#### REPORT OF STANDING COMMITTEE

**HB 1025, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1025 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1074, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1074, as amended, was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1077: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1077 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1094: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (5 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1094 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1103, as engrossed: Transportation Committee (Sen. G. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1103 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "nurse practitioner" with "advanced practice registered nurse"

Page 4, line 9, overstrike "pursuant to" and insert immediately thereafter "under"

Page 4, line 12, overstrike "pursuant to" and insert immediately thereafter "under"

Page 4, line 16, overstrike "pursuant to" and insert immediately thereafter "under"

Page 4, line 18, overstrike "pursuant to" and insert immediately thereafter "under"

Page 4, line 18, overstrike "shall" and insert immediately thereafter "does not"

Page 4, line 18, overstrike "no" and insert immediately thereafter "any"

Page 4, line 20, overstrike "pursuant"

Page 4, line 21, overstrike the first "to" and insert immediately thereafter "under"

Page 4, line 27, overstrike "pursuant to" and insert immediately thereafter "under"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1177, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1177, as amended, was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1259, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1259 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1268, as amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1268, as amended, was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the Senate as printed on pages 912 and 913 of the Senate Journal, House Bill No. 1268 is further amended as follows:

Page 1, line 1, after "57-51-15" insert ", and subsection 5 of section 57-51.2-02"

Page 1, line 21, replace "For purposes of this subsection only, "annual revenue collected under this"" with "For taxes under this chapter imposed on oil and gas production within the Fort Berthold Reservation, the allocation to the county as determined under this subsection must be based on the entire amount of state and tribal taxes collected on that production, the allocation to the state general fund must be reduced accordingly, and the allocation to the Three Affiliated Tribes of the Fort Berthold Reservation must be as determined under the agreements entered under chapter 57-51.2 without any reduction under this subsection."

**SECTION 3. AMENDMENT.** Subsection 5 of section 57-51.2-02 of the North Dakota Century Code is amended and reenacted as follows:

5. The allocation of revenue from oil and gas production taxes on the Fort Berthold Reservation must be as follows:

- a. Production attributable to trust lands. All revenues and exemptions from all oil and gas gross production and oil extraction taxes attributable to production from trust lands on the Fort Berthold Reservation must be evenly divided between the tribe and the state.
- b. All other production. The tribe must receive twenty percent of the total oil and gas gross production taxes collected from all production attributable to nontrust lands on the Fort Berthold Reservation in lieu of the application of the Three Affiliated Tribes' fees and taxes related to production on such lands. The state must receive the remainder.
- c. The state's share of the revenue as divided in subdivisions a and b is subject to distribution ~~among political subdivisions~~ as provided in chapters 57-51 and 57-51.1."

Page 1, remove lines 22 through 24

Page 2, remove lines 1 through 5

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1311, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1311 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1312: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1312 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1316, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1316 was placed on the Sixth order on the calendar.

Page 1, line 13, remove "Upon an applicant's request, that portion of a hearing before the appeals"

Page 1, replace lines 14 through 19 with "A hearing before the appeals committee may be closed upon request of the applicant. An applicant who requests a closed hearing may invite to that hearing any two representatives and the applicant's spouse or one other family member. Each decision of the appeals committee must give the reasons for granting or refusing an application for relief or assistance. The decision of the appeals committee is final. The record of the hearing, including the identity of the applicant, is an exempt record."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1382, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1382 was placed on the Sixth order on the calendar.

Page 1, line 1, remove the comma

Page 1, line 2, remove "subdivision a of subsection 3 of section 49-23-03, and section 49-23-04

Page 1, remove lines 16 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 30

Page 4, remove lines 1 through 28

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1384: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1384 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1429, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1429 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1468, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1468, as amended, was placed on the Fourteenth order on the calendar.

#### **MOTION**

**SEN. KLEIN MOVED** that the Senate stand in recess until 12:30 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Wrigley presiding.

#### **CORRECTION AND REVISION OF THE JOURNAL**

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

Page 1059, after line 3, insert:

**"MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The President has signed: SB 2069."

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

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. CHRISTMANN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1318, which motion prevailed.

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed HB 1318:** Sens. Uglem, Freborg, Triplett

#### **CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. FREBORG MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2281 as printed on SJ pages 1053-1054 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2281: Sens. Flakoll, Freborg, Heckaman.

#### **CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. FREBORG MOVED** that the Senate do not concur in the House amendments to Reengrossed SB 2311 as printed on SJ pages 1054-1055 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Reengrossed SB 2311: Sens. G. Lee, Freborg, Marcellais.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. COOK MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2336 as printed on SJ page 1055 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2336: Sens. Miller, Burckhard, Triplett.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. FREBORG MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2056 as printed on SJ page 1056 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2056: Sens. Flakoll, Schaible, Heckaman.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2302 as printed on SJ page 1057 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2302: Sens. Laffen, Klein, Murphy.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. DEVER MOVED** that the Senate do not concur in the House amendments to SB 2065 as printed on SJ pages 874-875 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on SB 2065: Sens. Berry, Sorvaag, Nelson.

**MOTION**

**SEN. CHRISTMANN MOVED** that HB 1232, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1266, as reengrossed and amended: SEN. ROBINSON (Appropriations Committee) MOVED** that the amendments on SJ pages 1063-1064 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 1266:** A BILL for an Act to create and enact a new section to chapter 23-01.2 of the North Dakota Century Code, relating to a state department of health emergency medical services and trauma medical director; 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 42 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nelson; Nothing;



Nodland; O'Connell; Oehlke; Olafson; Robinson; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**NAYS:** Christmann; Laffen; Larsen; Miller; Schaible

Reengrossed HB 1266, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1268, as amended: SEN. DOTZENROD (Appropriations Committee) MOVED** that the amendments on SJ pages 1077-1078 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 1268:** A BILL for an Act to amend and reenact section 21-06-10, subsection 2 of section 57-51-15, and subsection 5 of section 57-51.2-02 of the North Dakota Century Code, relating to allocation of revenues from the leasing of federal flood control lands and allocation between counties and the state general fund of oil and gas gross production tax revenues from production within the Fort Berthold Reservation; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1268, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**HB 1316, as engrossed: SEN. BERRY (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 1078 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 1316:** A BILL for an Act to amend and reenact section 37-14-12 of the North Dakota Century Code, relating to the appeal of an application for relief or assistance provided under a department of veterans' affairs program.

#### 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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1316, as amended, passed.

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**CONSIDERATION OF AMENDMENTS**

**HB 1103, as engrossed: SEN. MATHERN (Transportation Committee) MOVED** that the amendments on SJ page 1077 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 1103:** A BILL for an Act to create and enact a new subsection to section 39-01-01 and section 39-06-01.2 of the North Dakota Century Code, relating to definitions and anatomical gifting; and to amend and reenact subsection 1 of section 39-06-01, subsection 1 of section 39-06-01.1, subsection 1 of section 39-06-03.1, subsection 2 of section 39-06-07, section 39-06-07.2, subsection 1 of section 39-06-14, sections 39-06-24, 39-06-35, 39-06-36, and 39-06-40, subsection 3.1 of section 39-06.1-10, subsection 2 of section 39-06.2-10, sections 39-06.2-10.3 and 39-10.2-06, subsection 2 of section 39-16.1-07, subsection 2 of section 39-27-05, and subsections 2 and 5 of section 39-27-06 of the North Dakota Century Code, relating to nondriver photo identification, operator's licenses, and motorcycle safety and body requirements.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1103, as amended, passed.

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**CONSIDERATION OF AMENDMENTS**

**HB 1382, as engrossed: SEN. SORVAAG (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ pages 1078-1079 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 1382:** A BILL for an Act to amend and reenact subsections 11 and 15 of section 49-23-01 of the North Dakota Century Code, relating to the one-call excavation notice system.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1382, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1123:** A BILL for an Act to create and enact sections 26.1-44-01.1, 26.1-44-03.1, 26.1-44-06.1, 26.1-44-10, and 26.1-44-11 of the North Dakota Century Code, relating to surplus lines insurance and enactment of the surplus lines insurance

multistate compliance compact; to amend and reenact sections 26.1-44-01, 26.1-44-02, 26.1-44-03, 26.1-44-04, 26.1-44-05, 26.1-44-06, and 26.1-44-08 of the North Dakota Century Code, relating to surplus lines insurance; 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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1123 passed and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1169:** A BILL for an Act to amend and reenact section 50-24.4-07 of the North Dakota Century Code, relating to nonallowable costs in nursing home ratesetting.

#### 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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1169 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1086:** A BILL for an Act to amend and reenact section 15.1-19-13 of the North Dakota Century Code, relating to notifications regarding student use of alcohol or controlled substances.

#### 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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1086 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1036:** A BILL for an Act to provide for a legislative management study of developmental education issues affecting higher education.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1036 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1054:** A BILL for an Act to create and enact four new sections to chapter 65-05 of the North Dakota Century Code, relating to workers' compensation coverage of prescriptive drugs as part of pain therapy; and to provide for application.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 11 YEAS, 36 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Freborg; Klein; Larsen; Nodland; Schaible; Sitte; Stenehjerm; Wanzek

**NAYS:** Berry; Burckhard; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; O'Connell; Oehlke; Olafson; Robinson; Schneider; Sorvaag; Taylor; Triplett; Uglem; Wardner; Warner

Engrossed HB 1054 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1030:** A BILL for an Act to amend and reenact section 15.1-27-23 of the North Dakota Century Code, relating to gubernatorial waivers of required class rescheduling.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1030 passed.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1284:** A BILL for an Act to amend and reenact sections 57-09-04, 57-11-04, and 57-12-06 of the North Dakota Century Code, relating to appeals of property tax assessments; 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, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**NAYS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1284 lost.

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### SECOND READING OF HOUSE BILL

**HB 1344:** A BILL to provide for a legislative management study of transportation infrastructure development.

### 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 YEA, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Uglem

**NAYS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

Engrossed HB 1344 lost.

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### SECOND READING OF HOUSE BILL

**HB 1227:** A BILL for an Act to amend and reenact section 57-20-07.1 of the North Dakota Century Code, relating to property tax statement inclusion of information to identify the dollar amount of property tax relief provided through legislative appropriation; 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, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**NAYS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1227 lost.

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### SECOND READING OF HOUSE BILL

**HB 1405:** A BILL for an Act to create and enact a new section to chapter 39-05 of the North Dakota Century Code, relating to damaged out-of-state vehicles.

### 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 YEA, 46 NAYS,

0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Larsen

**NAYS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1405 lost.

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### SECOND READING OF HOUSE BILL

**HB 1256:** A BILL for an Act to create and enact a new subsection to section 39-01-01, a new paragraph to subdivision b of subsection 3 of section 39-06.1-10, and a new section to chapter 39-08 of the North Dakota Century Code, relating to demerit points and using an electronic communication device; to amend and reenact subsection 1 of section 39-06-03 and sections 39-06-04, 39-06-17, and 39-06.1-09 of the North Dakota Century Code, relating to a graduated operator's license and a moving violation; and to provide for application.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 33 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Dever; Dotzenrod; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Kilzer; Krebsbach; Laffen; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nelson; Nething; Nodland; Oehlke; Olafson; Robinson; Schneider; Sorvaag; Taylor; Triplett; Wardner; Warner

**NAYS:** Christmann; Cook; Erbele; Hogue; Klein; Larsen; Lee, G.; Miller; O'Connell; Schaible; Sitte; Stenehjem; Uglem; Wanzek

Engrossed HB 1256 passed.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3038:** A concurrent resolution directing the Legislative Management to study transportation funding options.

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

HCR 3038 was declared adopted on a voice vote.

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### MOTION

**SEN. CHRISTMANN MOVED** that HB 1416, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

### SECOND READING OF HOUSE BILL

**HB 1074:** A BILL for an Act to amend and reenact subsection 1 of section 15.1-29-14 and section 15.1-32-19 of the North Dakota Century Code, relating to school district reimbursement for boarding care costs; to provide an appropriation; to provide an effective date; to provide an expiration 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 47 YEAS,

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

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1074, as amended, passed and the emergency clause was declared carried.

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

**HB 1077:** A BILL for an Act to amend and reenact subsections 4 and 5 of section 57-51-15 of the North Dakota Century Code, relating to elimination of the limitation on allocations that may be received by a city under the oil and gas gross production tax; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1077 passed.

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

**HB 1259:** A BILL for an Act to amend and reenact sections 58-06-02, 58-07-01, and 58-08-01 of the North Dakota Century Code, relating to compensation of township officers.

### **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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1259 passed.

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

**HB 1429:** A BILL for an Act to amend and reenact section 37-14-18 of the North Dakota Century Code, relating to county veterans' service officers.

### **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 1 YEA, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist

**NAYS:** Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1429 lost.

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### SECOND READING OF HOUSE BILL

**HB 1384:** A BILL for an Act to create and enact a new subsection to section 11-37-02 and a new subsection to section 11-37-07 of the North Dakota Century Code, relating to joint powers entities and commerce authorities; to amend and reenact subsection 2 of section 11-37-03, sections 11-37-04 and 11-37-06, and subsection 1 of section 11-37-08 of the North Dakota Century Code, relating to conversion of joint powers entities to commerce authorities and additional powers of commerce authorities; 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 1 YEA, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist

**NAYS:** Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1384 lost.

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### SECOND READING OF HOUSE BILL

**HB 1312:** A BILL for an Act to amend and reenact section 11-11.1-02 of the North Dakota Century Code, relating to compensation of members of county job development authority boards of directors.

### 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 YEA, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Heckaman

**NAYS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1312 lost.

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### SECOND READING OF HOUSE BILL

**HB 1311:** A BILL for an Act to amend and reenact section 16.1-08.1-03.1 of the North Dakota



Century Code, relating to contribution and expenditure statements filed by persons sponsoring the circulation of initiated measure petitions.

#### 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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1311 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1025:** A BILL for an Act to provide an appropriation for defraying the expenses of the comprehensive tobacco control advisory committee; and to provide for 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed HB 1025 passed.

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#### MOTION

**SEN. CHRISTMANN MOVED** that HB 1013, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1094:** A BILL for an Act to amend and reenact subsection 1 of section 15.1-13-33 of the North Dakota Century Code, relating to investment of special funds in the state treasury for the purpose of funding grants for teachers to pursue national board certification.

#### 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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

HB 1094 passed.

\*\*\*\*\*

**SECOND READING OF HOUSE BILL**

**HB 1177:** A BILL for an Act to provide an appropriation to the department of veterans' affairs for stand down events.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Reengrossed HB 1177, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1468:** A BILL for an Act to provide for an appropriation to the office of management and budget for transfer to the department of veterans' affairs and the veterans' aid fund.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Reengrossed HB 1468, as amended, passed.

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**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1155, HB 1173, HB 1209, HB 1249, HB 1265, HCR 3011.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1002, HB 1048, HB 1217, HB 1334, HB 1422, HB 1433, HCR 3027.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1144.

**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 3018.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2317, SCR 4010, SCR 4026.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2279, SB 2286, SB 2327, SB 2351, SCR 4013.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2279**

Page 1, line 2, after "preference" insert "; and to provide for a legislative management study"

Page 2, line 13, remove the overstrike over "wartime"

Page 2, line 14, remove the overstrike over "2"

Page 2, line 14, remove "1"

Page 9, after line 17, insert:

**"SECTION 5. LEGISLATIVE MANAGEMENT VETERANS' PREFERENCE LAWS STUDY.** During the 2011-12 interim, the legislative management shall consider studying the North Dakota veterans' preference laws. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2286**

Page 1, line 2, remove "combative sports"

Page 1, line 2, after "commissioner" insert "of combative sports"

Page 1, line 7, remove "**combative sports**"

Page 1, line 7, after "commission" insert "of combative sports"

Page 1, line 8, remove "combative sports"

Page 1, line 8, after "commissioner" insert "of combative sports"

Page 1, line 10, remove "combative sports"

Page 1, line 10, after "commission" insert "of combative sports"

Page 1, line 19, remove "**combative sports**"

Page 1, line 19, after "**commissioner**" insert "**of combative sports**"

Page 2, line 11, remove "combative sports"

Page 2, line 11, after "commission" insert "of combative sports"

Page 2, line 23, remove "combative sports"

Page 2, line 23, after "commission" insert "of combative sports"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2327**

Page 1, line 7, after "undertaken" insert "to initiate a statewide initiated or referred measure, a constitutional amendment or measure, or a political subdivision ballot measure or any activity undertaken"

Page 1, line 9, remove the second underscored comma

Page 1, line 18, overstrike "state"

Page 1, line 18, remove the overstrike over "~~in any bona~~"

Page 1, line 19, remove the overstrike over "~~file news story, commentary, or editorial~~"

Page 1, line 19, remove "by a public official with no expenditure of"

Page 1, remove lines 20 through 23

Page 1, line 24, remove "purpose of educating the voters on a ballot question"

Renumber accordingly

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2351

Page 2, line 5, replace "~~that~~" with ". other than program-specific fees, which"

Page 2, line 6, after "student" insert an underscored comma

Page 2, line 8, replace "each individual" with "that"

Page 2, line 9, remove "under the control of the state board"

Page 2, line 10, replace "documented" with ":

1. Documented"

Page 2, line 11, after "circumstances" insert an underscored semicolon

Page 2, line 11, replace "student" with ":

2. Student"

Page 2, line 11, after "demand" insert ". as evidenced by a campuswide student election or formal action by an institution's student governing board or committee"

Page 2, line 14, after the underscored comma insert "other than a program-specific fee."

Renumber accordingly

#### HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4013

Page 1, after line 8, insert:

"**WHEREAS**, the federal budget should be balanced by reductions in or freezing current spending before any increase in taxes; and"

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2236, SB 2245.

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2236

In lieu of the amendments adopted by the House as printed on page 1156 of the House Journal, Engrossed Senate Bill No. 2236 is amended as follows:

Page 2, line 10, replace "different from" with "unreasonable when compared to"

Page 2, line 14, remove """Line-make" means new motor vehicles that are offered for sale, lease, or distribution"

Page 2, remove lines 15 and 16

Page 2, line 17, remove "9."

Page 2, line 18, replace "controlled by the manufacturer" with "that in whole or in part offers for sale, sells, or distributes any new motor vehicle to a new motor vehicle dealer"

Page 2, line 19, replace "10." with "9."

Page 2, line 22, replace "11." with "10."

Page 2, line 25, replace "12." with "11."

Page 2, line 29, replace "13." with "12."

Page 3, line 1, replace "14." with "13."

Page 3, line 6, replace "15." with "14."

Page 3, line 10, replace "16." with "15."

Page 4, line 12, after the underscored period insert "This subsection does not apply to a program that is in effect with more than one dealer in this state on the effective date of this Act or to a renewal or modification of the program."

Renumber accordingly

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2245

Page 1, line 1, after "subdivision" insert "k of subsection 18 of section 52-01-01, subdivision"

Page 1, line 1, after "52-04-07" insert a comma

Page 1, line 2, after "to" insert "ineligibility and"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Subdivision k of subsection 18 of section 52-01-01 of the North Dakota Century Code is amended and reenacted as follows:

- k. Service performed for a private for-profit person or entity by an individual as a landman if substantially all remuneration, including payment on the basis of a daily rate, paid in cash or otherwise for the performance of the service is directly related to the completion by the individual of the specific tasks contracted for rather than to the number of hours worked by the individual, and the services are performed under a written contract between the individual and the person for whom the services are performed which provides that the individual is to be treated as an independent contractor and not as an employee with respect to the services provided under the contract. For purposes of this subdivision, "landman" means a land professional who has been engaged primarily in:
  - (1) Negotiating the acquisition or divestiture of mineral rights;
  - (2) Negotiating business agreements that provide for the exploration for or development of minerals;
  - (3) Determining ownership of minerals through research of public and private records;
  - (4) Reviewing the status of title, curing title defects, and otherwise reducing title risk associated with ownership of minerals;
  - (5) Managing rights or obligations derived from ownership of interests and minerals; or
  - (6) Activities to secure the unitization or pooling of interests in minerals."

Page 1, line 13, replace "base-period" with "most recent"

Page 1, remove lines 15 through 23

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 31

Page 4, replace lines 1 through 4 with:

**"SECTION 3. AMENDMENT.** Subsection 1 of section 52-06-02 of the North Dakota Century Code is amended and reenacted as follows:

1. a. For the week in which the individual has left the individual's most recent employment voluntarily without good cause attributable to the employer, and thereafter until such time as the individual:
  - a- (1) Can demonstrate that the individual has earned remuneration for personal services in employment from and after the date of the unemployment compensation claim filing, equivalent to at least eight times the individual's weekly benefit amount as determined under section 52-06-04; and
  - b- (2) Has not left the individual's most recent employment under disqualifying circumstances.
- b. A temporary employee of a temporary help firm is deemed to have left employment voluntarily if the employee does not contact the temporary help firm for reassignment before filing for benefits. Failure to contact the temporary help firm is not deemed a voluntary leaving of employment unless the claimant was advised of the obligation to contact the temporary help firm upon completion of an assignment and advised that unemployment benefits may be denied for failure to contact the temporary help firm. As used in this subsection, "temporary employee" means an employee assigned to work for a client of a temporary help firm; and "temporary help firm" means a firm that hires that firm's own employees and assigns these employees to a client to support or supplement the client's workforce in a work situation such as employee absence, temporary skill shortage, seasonal workload, a special assignment, and a special project.
- c. This subsection does not apply if job service North Dakota determines that the individual in an active claim filing status accepted work which the individual could have refused with good cause under section 52-06-36 and terminated such employment with the same good cause and within the first ten weeks after starting work.
- d. This subsection does not apply if the individual left employment or remains away from employment following illness or injury upon a physician's written notice or order; no benefits may be paid under this exception unless the employee has notified the employer of the physician's requirement and has offered service for suitable work to the employer upon the individual's capability of returning to employment. This exception does not apply unless the individual's capability of returning to employment and offer of service for suitable work to the employer occurs within sixty days of the last day of work. However, the cost of any benefits paid under this exception may not be charged against the account of the employer, other than a reimbursing employer, from whom the individual became separated as a result of the illness or injury. Job service North Dakota may request and designate a licensed physician to provide a second opinion regarding the claimant's qualification; however, no individual may be charged fees of any kind for the cost of such second opinion.

- e. This subsection does not apply if the individual left the most recent employment because of an injury or illness caused or aggravated by the employment; no benefits may be paid under this exception unless the individual leaves employment upon a physician's written notice or order, the individual has notified the employer of the physician's requirement, and there is no reasonable alternative but to leave employment.
- f. For the purpose of this subsection, an individual who left the most recent employment in anticipation of discharge or layoff must be deemed to have left employment voluntarily and without good cause attributable to the employer.
- g. For the purpose of this subsection, "most recent employment" means employment with any employer for whom the claimant last worked and voluntarily quit without good cause attributable to the employer or with any employer, in insured work, for whom the claimant last worked and earned wages equal to or exceeding eight times the individual's weekly benefit amount.
- h. This subsection does not apply if the individual leaves work which is two hundred road miles [321.87 kilometers] or more, as measured on a one-way basis, from the individual's home to accept work which is less than two hundred road miles [321.87 kilometers] from the individual's home provided the work is a bona fide job offer with a reasonable expectation of continued employment.
- i. This subsection does not apply if the individual voluntarily leaves most recent employment to accept a bona fide job offer with a base-period employer who laid off the individual and with whom the individual has a demonstrated job attachment. For the purposes of this exception, "demonstrated job attachment" requires earnings in each of six months during the five calendar quarters before the calendar quarter in which the individual files the claim for benefits.
- j. (1) This subsection does not apply if the reason for separation from the individual's employment is directly attributable to domestic violence or sexual assault that is verified by documentation submitted to job service North Dakota which substantiates the individual's reason for separation from the most recent employment and such continued employment would jeopardize the safety of the individual or of the individual's spouse, parent, or minor child. After receiving a claim for unemployment insurance benefits for which the individual identifies domestic violence or sexual assault as the reason for separation, job service North Dakota shall notify the most recent employer of the reason for separation provided by the individual.
- (2) For purposes of this subdivision, documentation includes:
  - (a) A court order, protection order, restraining order, or other record filed with a court;
  - (b) A police or law enforcement record;
  - (c) A medical record indicating domestic violence or sexual assault; or
  - (d) A written affidavit provided by an individual who has assisted the claimant in dealing with the domestic violence or sexual assault and who is a:

[1] Licensed counselor;

- [2] Licensed social worker;
  - [3] Member of the clergy;
  - [4] Director or domestic violence advocate at a domestic violence sexual assault organization as defined in section 14-07.1-01; or
  - [5] Licensed attorney.
- (3) Documentation must be received by job service North Dakota within fourteen calendar days from the date the individual files a claim for unemployment insurance benefits after separating from employment for reasons directly attributable to domestic violence or sexual assault.
  - (4) A false statement of domestic violence or sexual assault in a claim for unemployment insurance benefits is subject to subsection 8 and section 52-06-40."

Renumber accordingly

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

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2180, SB 2344.

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2132, SB 2362, SB 2365, SCR 4011.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2056, SB 2065, SB 2281, SB 2302, SB 2311, and SB 2336, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2056:** Sens. Flakoll; Schaible; Heckaman

**SB 2065:** Sens. Berry; Sorvaag; Nelson

**SB 2281:** Sens. Flakoll; Freborg; Heckaman

**SB 2302:** Sens. Laffen; Klein; Murphy

**SB 2311:** Sens. G. Lee; Freborg; Marcellais

**SB 2336:** Sens. Miller; Burckhard; Triplett

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2067, SB 2085, SB 2155, SB 2157, and SB 2276, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2067:** Sens. J. Lee; Berry; Mathern

**SB 2085:** Sens. Miller; Luick; Murphy

**SB 2155:** Sens. Uglem; J. Lee; Mathern

**SB 2157:** Sens. Andrist; Laffen; Dotzenrod

**SB 2276:** Sens. J. Lee; Uglem; Mathern

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

**MR. PRESIDENT:** The House has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2044:** Reps. Weisz; Owens; Delmore

**SB 2073:** Reps. Klemin; Maragos; Kilichowski

**SB 2098:** Reps. Hofstad; Schmidt; Holman

**SB 2145:** Reps. Devlin; Heilman; Mock

**SB 2169:** Reps. Streyle; Boehning; Amerman

**SB 2193:** Reps. Kretschmar; Beadle; Zaiser



**SCR 4002:** Reps. Hofstad; Brabandt; Hunskor

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has appointed as a conference committee to act with a like committee from the House on:

**HB 1085:** Sens. Dever; Uglem; Berry

**HB 1091:** Sens. Andrist; Laffen; Schneider

**HB 1092:** Sens. Schaible; Flakoll; Marcellais

**HB 1124:** Sens. Oehlke; Burckhard; Triplett

**HB 1204:** Sens. Nething; Sitte; Sorvaag

**HB 1214:** Sens. Flakoll; Schaible; Marcellais

**HB 1229:** Sens. G. Lee; Freborg; Heckaman

**HB 1246:** Sens. Hogue; Burckhard; Dotzenrod

**HB 1252:** Sens. Dever; J. Lee; Mathern

**HB 1270:** Sens. G. Lee; Luick; Heckaman

**HB 1421:** Sens. Nodland; Larsen; Schneider

**HB 1425:** Sens. Larsen; Nodland; Murphy

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has appointed as a conference committee to act with a like committee from the House on:

**HB 1318:** Sens. Uglem; Freborg; Triplett

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1049, HB 1093, HB 1154, HB 1317, HB 1367, HB 1438.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2049.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The President has signed: HB 1049, HB 1093, HB 1114, HB 1154, HB 1317, HB 1367, HB 1438.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1008, HB 1055, HB 1066, HB 1072, HB 1109, HB 1117, HB 1125, HB 1137, HB 1156, HB 1159, HB 1165, HB 1181, HB 1211, HB 1213, HB 1215, HB 1218, HB 1230, HB 1261, HB 1304, HB 1319, HB 1337, HB 1371, HB 1375, HB 1380, HB 1396, HB 1407, HB 1419, HB 1454, HB 1461, HB 1464.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3003, HCR 3031.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, April 4, 2011, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1013, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1013 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1232, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1232 was placed on the Sixth order on the calendar.

- "5. Subsection 2 does not apply to a railroad company performing maintenance and repair work of railroad track, crossings, or other railroad facilities."

Page 3, after line 7, insert:

- "3. Subsection 2 does not apply to railroad facilities."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1269, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed HB 1269, as amended, was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1278, as reengrossed: Transportation Committee (Sen. G. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1278 was placed on the Sixth order on the calendar.

Page 1, line 10, after the period insert "A city that establishes a fee that exceeds the fee for an equivalent category violation as listed in section 39-06.1-06 shall transfer the excess fee on a monthly basis to the state treasurer for deposit in the common schools trust fund."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1416: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1416 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1447, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1447 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "to provide for a legislative management study of voting residency laws and consolidation of elections.

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

##### SECTION 1. LEGISLATIVE MANAGEMENT STUDY - VOTING RESIDENCY - CONSOLIDATION OF POLITICAL SUBDIVISION ELECTIONS.

During the 2011-12 interim, the legislative management shall consider studying residency as it relates to voting purposes and the further consolidation of political subdivision elections with regular statewide elections. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HCR 3015: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3015 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3045: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3045 was placed on the Fourteenth order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3018:** A concurrent resolution for the amendment of section 24 of article X of the Constitution of North Dakota, relating to the permitted growth of the foundation aid stabilization fund.

Was read the first time and referred to the **Finance and Taxation Committee**.

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

**William R. Horton, Secretary**

