

JOURNAL OF THE SENATE

Sixty-third Legislative Assembly

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Bismarck, March 6, 2013

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

The prayer was offered by Pastoral Care Coordinator Burnie Kunz, Sanford Health, Bismarck.

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

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 561, line 2, remove "HB 1059"

Page 561, line 8, after "passed," insert "the emergency clause carried,"

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

MOTION

SEN. KLEIN MOVED that HB 1286 be returned to the Senate floor from the **Government and Veterans Affairs Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, HB 1286 was rereferred.

MOTION

SEN. SCHNEIDER MOVED that SCR 4025 be returned to the Senate floor from the **Judiciary Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. SCHNEIDER REQUESTED the unanimous consent of the Senate to withdraw SCR 4025. There being no objection, it was so ordered by the President.

CONSIDERATION OF AMENDMENTS

HB 1028, as engrossed: SEN. HECKAMAN (Education Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1060, as engrossed: SEN. UNRUH (Natural Resources Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1103: SEN. SCHAIBLE (Education Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1120, as engrossed: SEN. ANDRIST (Political Subdivisions Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1047: A BILL for an Act to amend and reenact sections 39-05-02.2, 39-05-03, and 39-19-06 of the North Dakota Century Code, relating to the international registration plan and the unified carrier registration system; and to repeal section 39-19-06.1 of the North Dakota Century Code, relating to the single state insurance registration system.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

HB 1047 passed.

SECOND READING OF HOUSE BILL

HB 1049: A BILL for an Act to amend and reenact subdivisions b, o, and r of subsection 4 of section 57-40.6-10 of the North Dakota Century Code, relating to standards and guidelines for public safety answering points.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

HB 1049 passed.

SECOND READING OF HOUSE BILL

HB 1062: A BILL for an Act to amend and reenact sections 61-16.1-53, 61-16.1-53.1, 61-32-07, and 61-32-08 of the North Dakota Century Code, relating to appeals of removal or closing of a noncomplying dam, dike, or other device and drains.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

HB 1062 passed.

SECOND READING OF HOUSE BILL

HB 1065: A BILL for an Act to amend and reenact subsection 2 of section 11-07-04, subsection 5 of section 11-10.2-03, subsection 3 of section 11-10.3-02, and sections 11-12-05, 11-16-10, 11-16-13, 40-02-16, and 44-02-05 of the North Dakota Century Code, relating to district judge involvement in determining county commissioner terms of office, appointing individuals to fill county commission vacancies, receiving written documents consenting to county reorganization plans, approving state's attorneys expenses, and appointing arbitrators for disputes between a township and a newly organized municipality; and to repeal sections 11-16-11 and 11-16-12 of the North Dakota Century Code, relating to state's attorney submission of a statement of expenses to a district judge.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

Engrossed HB 1065 passed.

SECOND READING OF HOUSE BILL

HB 1066: A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to the Yellowstone trail.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

HB 1066 passed.

SECOND READING OF HOUSE BILL

HB 1064: A BILL for an Act to amend and reenact section 49-07-05.1 of the North Dakota Century Code, relating to the maximum penalty for a violation of pipeline safety standards.

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

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nelson; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

NAYS: Larsen; Miller; O'Connell

ABSENT AND NOT VOTING: Grindberg

HB 1064 passed.

SECOND READING OF HOUSE BILL

HB 1095: A BILL for an Act to amend and reenact section 15.1-27-24 of the North Dakota Century Code, relating to the distribution of certain federal funds.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

HB 1095 passed.

SECOND READING OF HOUSE BILL

HB 1100: A BILL for an Act to amend and reenact subsection 2 of section 39-01-01 and subsection 2 of section 39-10-03 of the North Dakota Century Code, relating to definitions of and lights used by authorized emergency vehicles.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

Engrossed HB 1100 passed.

SECOND READING OF HOUSE BILL

HB 1104: A BILL for an Act to amend and reenact subsection 2 of section 15-10-19.1 of the North Dakota Century Code, relating to the definition of nonresident and resident

student for tuition purposes.

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

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

NAYS: Hogue; Lee, G.; Miller

ABSENT AND NOT VOTING: Grindberg

Engrossed HB 1104 passed.

SECOND READING OF HOUSE BILL

HB 1122: A BILL for an Act to amend and reenact section 39-04.2-04 of the North Dakota Century Code, relating to public transportation funding.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

HB 1122 passed.

SECOND READING OF HOUSE BILL

HB 1123: A BILL for an Act to amend and reenact section 39-08-09 of the North Dakota Century Code, relating to immediate notification of an accident.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

HB 1123 passed.

SECOND READING OF HOUSE BILL

HB 1146: A BILL for an Act to amend and reenact sections 15.1-01-01, 15.1-12-05, 15.1-12-09.1, 15.1-12-10, and 15.1-12-27 of the North Dakota Century Code, relating to the state board of public school education and school district annexation, reorganization, and dissolution proceedings.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

HB 1146 passed.

SECOND READING OF HOUSE BILL

HB 1229: A BILL for an Act to amend and reenact section 15-20.1-23 of the North Dakota Century Code, relating to the North Dakota elementary student entrepreneurship program.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

HB 1229 passed.

SECOND READING OF HOUSE BILL

HB 1268: A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to the driver education curriculum.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Grindberg

Engrossed HB 1268 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3001: A concurrent resolution directing the Legislative Management to study issues related to development of group housing and crew camps, including infrastructure demands, health and safety requirements, regulation, and enforcement of regulatory violations.

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

HCR 3001 was declared adopted on a voice vote.

MOTION

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

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, March 7, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1034: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1034 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1036, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1036 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1042: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1042 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1043, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1043 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1051: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1051 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1069, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1069 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1070, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1070 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1072, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1072 was

placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1073: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1073 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1074: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1074 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1078: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1078 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1079, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1079 was placed on the Sixth order on the calendar.

Page 1, line 4, after "Dakota" insert "; and to declare an emergency"

Page 1, line 11, remove the overstrike over "period"

Page 1, line 11, remove "biennium"

Page 1, line 11, remove the overstrike over "with the"

Page 1, line 12, remove the overstrike over "~~effective date of this Act~~"

Page 1, line 12, remove "July 1, 2013."

Page 2, after line 6, insert:

"SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1081: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1081 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1083, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1083 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1084, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1084 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HB 1087: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1087 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1088: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS**

(5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1088 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1089: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1089 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1091, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1091 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the first "and"

Page 1, line 2, after "43-12.1-13" insert ", and 43-12.1-14"

Page 10, after line 4, insert:

"SECTION 10. AMENDMENT. Section 43-12.1-14 of the North Dakota Century Code is amended and reenacted as follows:

43-12.1-14. Grounds for discipline - Penalties.

The board may deny, limit, revoke, encumber, or suspend any license or registration to practice nursing issued by the board or applied for in accordance with this chapter; reprimand, place on probation, or otherwise discipline a licensee, registrant, or applicant; deny admission to licensure or registration examination; ~~provide an alternative to discipline in situations involving impairments of chemical dependency or psychiatric or physical disorders;~~ require evidence of evaluation and treatment; or issue a nondisciplinary letter of concern to a licensee, registrant, or applicant, upon proof that the person:

1. Has been arrested, charged, or convicted by a court, or has entered a plea of nolo contendere to a crime in any jurisdiction that relates adversely to the practice of nursing and the licensee or registrant has not demonstrated sufficient rehabilitation under section 12.1-33-02.1;
2. Has been disciplined by a board of nursing in another jurisdiction, or has had a license or registration to practice nursing or to assist in the practice of nursing or to practice in another health care occupation or profession denied, revoked, suspended, or otherwise sanctioned;
3. Has engaged in any practice inconsistent with the standards of nursing practice;
4. Has obtained or attempted to obtain by fraud or deceit a license or registration to practice nursing, or has submitted to the board any information that is fraudulent, deceitful, or false;
5. Has engaged in a pattern of practice or other behavior that demonstrates professional misconduct;
6. Has diverted or attempted to divert supplies, equipment, drugs, or controlled substances for personal use or unauthorized use;
7. Has practiced nursing or assisted in the practice of nursing in this state without a current license or registration or as otherwise prohibited by this chapter;
8. Has failed to report any violation of this chapter or rules adopted under this chapter; or

9. Has failed to observe and follow the duly adopted standards, policies, directives, and orders of the board, or has violated any other provision of this chapter."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1092, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1092 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1094, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1094 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1101, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1101 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1108: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1108 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1110: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1110 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1155: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1155 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1164: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1164 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1168: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1168 was placed on the Sixth order on the calendar.

Page 1, line 2, after "market" insert "; and to declare an emergency"

Page 2, after line 21, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1285: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1285 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1301: Education Committee (Sen. Flakoll, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1301 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HCR 3009: Education Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3009 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3013: Education Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3013 was placed on the Fourteenth order on the calendar.

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

William R. Horton, Secretary

