

## JOURNAL OF THE SENATE

## Sixty-fourth Legislative Assembly

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Bismarck, March 27, 2015

The Senate convened at 12:30 p.m., with President Wrigley presiding.

The prayer was offered by State Chaplain, Alice Delzer, Amvets Auxilliary.

The roll was called and all members were present.

A quorum was declared by the President.

## CONSIDERATION OF AMENDMENTS

**HB 1165: SEN. GRABINGER (Judiciary Committee) MOVED** that the amendments on SJ page 948 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 1165:** A BILL for an Act to require the Legislative Management, in conjunction with other stakeholders, to participate in a justice reinvestment study and initiative.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

HB 1165, as amended, passed.

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## CONSIDERATION OF AMENDMENTS

**HB 1038, as engrossed: SEN. ANDERSON (Human Services Committee) MOVED** that the amendments on SJ pages 946-947 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 1038:** A BILL for an Act to create and enact section 54-52.1-04.13 of the North Dakota Century Code, relating to public employees retirement system uniform group insurance coverage of telehealth; to require a report regarding coverage of telehealth; and to provide an expiration date.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1038, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1368, as engrossed: SEN. ARMSTRONG (Judiciary Committee) MOVED** that the amendments on SJ pages 948-949 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 1368:** A BILL for an Act to amend and reenact section 12.1-17-13 of the North Dakota Century Code, relating to mandated treatment of domestic violence offenders.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1368, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1035, as engrossed: SEN. LARSEN (Human Services Committee) MOVED** that the amendments on SJ page 946 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 1035:** A BILL for an Act to provide for legislative management studies of the state's health care delivery system and a behavioral health and addiction training initiative.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1035, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1111, as engrossed: SEN. HOGUE (Judiciary Committee) MOVED** that the amendments on SJ page 948 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 1111:** A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to the person who is allowed to claim the tax deduction for a child under a child support order; to amend and reenact section 14-09-08.2, subsections 1 and 3 of section 14-09-08.4, sections 14-09-08.5, 14-09-08.6, 14-09-08.7, 14-09-08.11, 14-09-08.13, 14-09-09.30, 35-34-04, 35-34-06,

and 50-09-06.1 of the North Dakota Century Code, and section 73 of chapter 152 of the 2009 Session Laws, relating to child support; to repeal section 14-09-08.8 of the North Dakota Century Code, relating to motions to amend child support; to provide for a report to the legislative management; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1111, as amended, passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**HCR 3052, as engrossed: SEN. NELSON (Judiciary Committee) MOVED** that the amendments on SJ page 949 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3052:** A concurrent resolution urging the North Dakota University System and State Board of Higher Education to study all policies, procedures, supports, and services available at all public institutions of higher education in the state regarding sexual assault and related incidents.

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

Engrossed HCR 3052, as amended, was declared adopted on a voice vote.

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#### SECOND READING OF HOUSE BILL

**HB 1056:** A BILL for an Act to amend and reenact section 18-10-07 of the North Dakota Century Code, relating to rural fire protection district increased levy approval; to repeal section 57-15-26.3 of the North Dakota Century Code, relating to the levy limit for rural fire protection districts; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1056, as amended, passed.

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#### SECOND READING OF HOUSE BILL

**HB 1403:** A BILL for an Act to create and enact section 54-06-14.5 of the North Dakota Century Code, relating to state employee use of sick leave for consequences of domestic violence, a sex offense, stalking, or terrorizing.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1403, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1321:** A BILL for an Act to amend and reenact section 12.1-17-07.1 of the North Dakota Century Code, relating to stalking and the use of electronic devices.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1321, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1279:** A BILL for an Act to provide for a legislative management study of family caregiver supports and services.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1279, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1030:** A BILL for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code, relating to exceptions from mandatory minimum sentences; to amend and reenact subsection 19 of section 12.1-01-04, subdivision a of subsection 3 of section 12.1-20-03, and subsection 2 of section 12.1-32-07.1 of the North Dakota Century Code, relating to the definition of manifest injustice.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has

committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

HB 1030, as amended, passed.

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#### SECOND READING OF HOUSE BILL

**HB 1041:** A BILL for an Act to amend and reenact section 50-24.1-37 of the North Dakota Century Code, relating to pharmacy benefit management services for the medicaid expansion program; and to provide for application.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1041, as amended, passed.

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#### SECOND READING OF HOUSE BILL

**HB 1051:** A BILL for an Act to create and enact two new subdivisions to subsection 1 of section 15-10-44 of the North Dakota Century Code, relating to electronic mail services and retention for institutions of higher education; to amend and reenact subsection 1 of section 54-46-02 of the North Dakota Century Code, relating to records management; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed HB 1051, as amended, passed.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3005:** A concurrent resolution directing the Legislative Management to study the system of care for individuals with brain injury.

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

Engrossed HCR 3005 was declared adopted on a voice vote.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. COOK MOVED** that the Senate do concur in the House amendments to SB 2057 as printed on SJ page 783, which motion prevailed on a voice vote.

SB 2057 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2057:** A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to the legislative management assignment of regular legislative interim committee review of statutory provisions providing economic development tax incentives.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2057 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. COOK MOVED** that the Senate do concur in the House amendments to Engrossed SB 2096 as printed on SJ page 883, which motion prevailed on a voice vote.

Engrossed SB 2096 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2096:** A BILL for an Act to amend and reenact subsections 21, 22, and 23 of section 57-39.2-01 and subsection 1 of section 57-39.2-02.1 of the North Dakota Century Code, relating to elimination of sales taxes on sale of internet access services; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Anderson; Lee, J.

Reengrossed SB 2096 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. FLAKOLL MOVED** that the Senate do concur in the House amendments to SB 2145 as printed on SJ page 783, which motion prevailed on a voice vote.

SB 2145 as amended, was placed on the Eleventh order of business.

### **SECOND READING OF SENATE BILL**

**SB 2145:** A BILL for an Act to amend and reenact subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks.

### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2145 passed.

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

**SEN. HOGUE MOVED** that the Senate do concur in the House amendments to Engrossed SB 2324 as printed on SJ page 831, which motion prevailed on a voice vote.

Engrossed SB 2324 as amended, was placed on the Eleventh order of business.

### **SECOND READING OF SENATE BILL**

**SB 2324:** A BILL for an Act to amend and reenact subsections 3 and 6 of section 5-01-16 of the North Dakota Century Code, relating to out-of-state shipments of alcohol to customers in this state; and to provide a penalty.

### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed SB 2324 passed.

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

**SEN. FLAKOLL MOVED** that the Senate do concur in the House amendments to Engrossed SB 2209 as printed on SJ pages 799-800, which motion prevailed on a voice vote.

Engrossed SB 2209 as amended, was placed on the Eleventh order of business.

### **SECOND READING OF SENATE BILL**

**SB 2209:** A BILL for an Act to amend and reenact section 15.1-19-24 of the North Dakota Century Code, relating to youth suicide prevention training.

### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed SB 2209 passed.

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

**SEN. BURCKHARD MOVED** that the Senate do concur in the House amendments to Engrossed SB 2371 as printed on SJ page 867, which motion prevailed on a voice vote.

Engrossed SB 2371 as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF SENATE BILL**

**SB 2371:** A BILL for an Act to create and enact subsection 30 to section 40-05-02 of the North Dakota Century Code, relating to the authority of a city council or board of city commissioners to establish administrative boards.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed SB 2371 passed.

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

**SEN. KLEIN MOVED** that the Senate do concur in the House amendments to SB 2285 as printed on SJ page 903, which motion prevailed on a voice vote.

SB 2285 as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF SENATE BILL**

**SB 2285:** A BILL for an Act to amend and reenact section 34-02-01 of the North Dakota Century Code, relating to exceptions from the duty of an employer to indemnify an employee for expenses.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2285 passed.



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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do concur in the House amendments to SB 2130 as printed on SJ page 903, which motion prevailed on a voice vote.

SB 2130 as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2130:** A BILL for an Act to amend and reenact sections 26.1-31.2-01, 26.1-31.2-02, 26.1-31.2-03, and 26.1-31.2-04 of the North Dakota Century Code, relating to reinsurance credit of insurers; and to provide an effective date.

**ROLL CALL**

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

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

**NAYS:** Oehlke

Engrossed SB 2130 passed.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1215, HB 1314, HB 1365, HB 1401, HB 1455, HB 1463, HCR 3033.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1040, HB 1082, HB 1133, HB 1319, HB 1376, HB 1417, HB 1462, HB 1471.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1387.

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1139.

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

**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1254.

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HCR 3022.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2270.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2037, SB 2104, SB 2181, SB 2233, SB 2283.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2037**

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

Page 1, line 2, after "57-38-01.8" insert ", and section 57-39.2-04.8"

Page 1, line 3, replace "and" with a comma

Page 1, line 4, after "devices" insert "and a sales tax exemption for machinery or equipment used to produce coal from a new mine"

Page 1, line 4, remove "and"

Page 1, line 5, after "date" insert "; and to provide for retroactive application"

Page 1, line 20, overstrike "for the duration of the initial purchased power"

Page 1, line 21, overstrike "agreement for the generation unit"

Page 2, line 5, remove "for which a purchased power agreement is entered or renewed"

Page 2, remove line 6

Page 2, line 7, replace "under this chapter after December 31, 2014" with ", or which is twenty years or more from the date of first assessment"

Page 2, after line 24, insert:

**"SECTION 3. AMENDMENT.** Section 57-39.2-04.8 of the North Dakota Century Code is amended and reenacted as follows:

**57-39.2-04.8. Sales tax exemption for machinery or equipment used to produce coal from a new mine.**

1. Gross receipts from sales of machinery or equipment used to produce coal from a new mine located in this state are exempt from the tax imposed by this chapter. The exemption for each new mine under this section is limited to the first five million dollars of sales and use tax paid.
2. Purchase of replacement machinery or equipment is exempt if the capitalized investment in the new mine exceeds twenty million dollars using the United States generally accepted accounting principles. Purchases of repair or replacement parts for existing machinery or equipment are not exempt under this section.
3. The mine operator shall apply to the commissioner for a refund of sales and use taxes paid for which the exemption is claimed under this section. A refund claim may not exceed the limitation in subsection 1. If the machinery or equipment is used directly or indirectly to produce coal, the interest provisions of section 57-39.2-25 do not apply to purchases made before July 1, 2015. Application for the refund must be made at the time and in the manner directed by the commissioner and must include sufficient information to verify the correctness of the refund claim.
4. For purposes of this section:
  - a. "Machinery or equipment" means machinery or equipment purchased after December 31, 2010, and used directly or indirectly to uncover, sever, crush, handle, or transport coal removed from the earth. "Machinery or equipment" includes draglines, excavators, rolling stock, conveyor equipment, reclamation equipment, and equipment to pulverize coal, water trucks, fuel trucks, low-boys, cranes, lubrication trucks, motor graders, service trucks, light plants, and dewatering equipment, but does not include rail spurs, office buildings, workshops, or any component not used directly to uncover, sever, crush, handle, or transport coal removed from the earth.
  - b. "New mine" means an area permitted under chapter 38-14.1 by the public service commission after December 31, 2010.

- c. "Produce coal" means mining operations to uncover, sever, crush, handle, or transport coal from its natural location under the earth's surface to the mouth of the mine and all activities necessary and incidental to the reclamation of that location."

Page 3, after line 9, insert:

**"SECTION 7. RETROACTIVE APPLICATION.** Section 3 of this Act applies retroactively to purchases of machinery or equipment made after December 31, 2010."

Renumber accordingly

#### **HOUSE AMENDMENTS TO SENATE BILL NO. 2104**

Page 1, line 2, replace "43-15-11" with "43-15-10"

Page 1, line 21, after "antagonist" insert ", if the health care professional provides training"

Page 2, line 20, replace "43-15-11" with "43-15-10"

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2181**

Page 2, line 9, after "manager" insert "unless the board has established an alternate supervisory structure that is clearly defined in the board's policy and is represented in the school district's organizational chart, and through board action delegates to the superintendent supervisory responsibility of the business manager's daily operations"

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2233**

Page 1, line 1, after "to" insert "amend and reenact section 48-01.2-22 of the North Dakota Century Code, relating to the public opening of subcontractor bids; and to"

Page 1, line 1, remove "of public improvement issues"

Page 1, remove line 2

Page 1, line 3, remove "thresholds, and indemnification"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Section 48-01.2-22 of the North Dakota Century Code is amended and reenacted as follows:

##### **48-01.2-22. Subcontractor bids.**

1. An agency construction manager selected for a public improvement shall publicly advertise publicly and receive open bids from subcontractors for the work items necessary to complete the general construction portions of the improvement. The governing body may influence the selection of the subcontractors, but only insofar as the governing body's past experience with a subcontractor or a current legal dispute with a subcontractor.
2. A construction manager at-risk selected for a public improvement shall publicly advertise publicly and receive open bids from subcontractors for the work items the construction manager at-risk chooses not to perform. The governing body may influence the selection of the subcontractors, but only insofar as the governing body's past experience with a subcontractor or a current legal dispute with a subcontractor."

Renumber accordingly

# **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2283**

Page 2, line 13, replace "A description of material terms and the" with "The"

Page 2, line 16, after the underscored semicolon insert "and"

Page 2, line 18, remove "; and"

Page 2, remove lines 19 through 22

Page 2, line 23, remove "or disseminated through the travel retailer"

Page 3, line 21, after "4." insert:

"The limited lines travel insurance producer and any travel retailer and the travel retailer's employees offering and disseminating travel insurance under the limited lines travel insurance producer license shall be subject to the provisions of chapters 26.1-04 and 26.1-26.

5. The travel retailer and its employees act on behalf of the limited lines producer and the producer is responsible for any representations made by the employees of the travel retailer relating to insurance products offered or disseminated through the travel retailer.
6. If the insurance commissioner determines that a travel retailer, or a travel retailer's employee has violated any provision of this chapter or any other provision of this title, the commissioner may:
  - a. Direct the limited lines travel insurance producer to implement a corrective action plan with the travel retailer; or
  - b. Revoke the authorization of the travel retailer to transact travel insurance on behalf of the limited lines travel insurance producer under its license and direct the limited lines travel insurance producer to remove the travel retailer's name from its register.
7. If the insurance commissioner determines that a travel retailer, or a travel retailer's employee, has violated any provision in this chapter or any other provision of this title, the commissioner may:
  - a. Suspend or revoke the license of the limited lines travel insurance producer;
  - b. Issue a cease and desist order against the license of the limited lines travel insurance producer; and
  - c. Impose a monetary fine on the limited lines travel insurance producer.

8."

Page 3, line 23, replace "5." with "9."

Page 4, line 3, replace "6." with "10."

Page 4, line 11, replace "7." with "11."

Page 4, line 14, replace "8." with "12."

Page 4, line 16, replace "9." with "13."

Page 4, remove lines 19 and 20

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 2054, SB 2221, SB 2337.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** Your signature is respectfully requested on: SB 2261, SB 2329, SB 2375.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1032, HB 1096, HB 1114, HB 1184, HB 1356, HB 1389, HB 1391, HCR 3009, HCR 3031, HCR 3032, HCR 3034.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1138, HB 1338, HB 1347, HB 1373, HCR 3015, HCR 3045.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2025, SB 2099, SB 2186, SB 2248, SB 2363.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2261, SB 2329, SB 2375.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2025, SB 2099, SB 2186, SB 2248, SB 2363.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1032, HB 1096, HB 1114, HB 1138, HB 1184, HB 1338, HB 1347, HB 1356, HB 1373, HB 1389, HB 1391, HCR 3009, HCR 3015, HCR 3031, HCR 3032, HCR 3034, HCR 3045.

#### **DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 27, 2015: SB 2025, SB 2099, SB 2186, SB 2248, SB 2363.

#### **COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on March 27, 2015, I have signed the following: SB 2129, SB 2131, SB 2172, SB 2215, SB 2335, and SB 2364.

#### **MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, March 30, 2015, which motion prevailed.

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

**HB 1053: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1053 was placed on the Fourteenth order on the calendar.

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

**HB 1083: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1083 was placed on the Fourteenth order on the calendar.

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

**HB 1094, 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 1094 was placed on the Fourteenth order on the calendar.

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

**HB 1112, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1112 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1116, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1116 was placed on the Sixth order on the calendar.

Page 1, line 10, overstrike "who" and insert immediately thereafter "that"

Page 1, line 14, overstrike "that" and insert immediately thereafter "which"

Page 1, line 21, overstrike "a"

Page 1, line 22, overstrike "person's" and insert immediately thereafter "an individual's"

Page 1, line 23, overstrike "prior to" and insert immediately thereafter "occurring before"

Page 1, line 24, overstrike the comma

Page 2, line 1, overstrike the first "the" and insert immediately thereafter ". The"

Page 2, line 15, overstrike "persons" and insert immediately thereafter "individuals"

Page 2, line 22, overstrike "a person's" and insert immediately thereafter "an individual's"

Page 2, line 26, overstrike "a person" and insert immediately thereafter "an individual"

Page 2, line 27, overstrike "pursuant to" and insert immediately thereafter "under"

Page 3, line 1, overstrike "a person's" and insert immediately thereafter "an individual's"

Page 3, line 4, overstrike "person" and insert immediately thereafter "individual"

Page 5, line 2, overstrike "a person" and insert immediately thereafter "an individual"

Page 5, line 7, overstrike "their" and insert immediately thereafter "the"

Page 5, line 7, after "face" insert "of the record"

Page 5, line 18, overstrike "which" and insert immediately thereafter "that"

Page 5, line 20, replace "person" with "individual"

Page 5, line 21, replace "person's" with "individual's"

Page 5, line 30, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 2, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 25, overstrike "its" and insert immediately thereafter "the"

Page 6, line 25, after "face" insert "of the death record"

Page 7, line 6, overstrike "which" and insert immediately thereafter "that"

Page 7, line 22, replace "person" with "individual"

Page 8, line 17, overstrike "thereunder" and insert immediately thereafter "under this chapter"

Page 8, line 28, overstrike "person" and insert immediately thereafter "individual"

Page 8, line 28, overstrike "person's" and insert immediately thereafter "individual's"

Page 8, line 29, replace the underscored comma with an underscored semicolon

Page 10, line 13, overstrike "Any individual" and insert immediately thereafter "A person"

Page 10, line 14, overstrike "individual" and insert immediately thereafter "person"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1126, as engrossed: Judiciary Committee (Sen. Hogue, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1126 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to create and enact section 26.1-26.6-07.1 of the North Dakota Century Code,"

Page 1, line 2, remove "relating to registered recovery agents;"

Page 1, line 4, remove ", recovery agents,"

Page 1, line 8, remove the overstrike over "Definition"

Page 1, line 8, remove "**Definitions**"

Page 1, line 9, remove the overstrike over ", -bail"

Page 1, line 9, remove the underscored colon

Page 1, line 10, remove "1. "Bail"

Page 1, remove lines 14 through 16

Page 3, line 29, remove the overstrike over "or"

Page 3, line 29, remove the first underscored comma

Page 3, line 29, remove ", or registered recovery agent"

Page 4, line 5, remove ", the registered recovery"

Page 4, line 6, remove "agent."

Page 4, line 7, replace the underscored comma with "or licensed"

Page 4, line 8, remove ", or registered recovery agent"

Page 4, line 14, after the underscored semicolon insert "or"

Page 4, line 15, replace " ; or" with "that issued the bail bond."

Page 4, remove line 16

Page 4, line 17, replace "Violation of" with "A first offense under"

Page 4, line 17, after "section" insert "is a class A misdemeanor. A second offense under this section"

Page 4, remove lines 18 through 24

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1136, as engrossed: Judiciary Committee (Sen. Hogue, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1136 was placed on the Sixth order on the calendar.

Page 19, line 19, after the second underscored quotation mark insert "or "membership interest""

Page 21, line 23, after the first "the" insert "limited liability"

Page 21, line 23, after "company" insert "under chapter 10-32 at the time the limited liability company becomes subject to this chapter"

Page 21, line 24, after "the" insert "limited liability"

Page 21, line 25, replace "21" with "35"

Page 21, line 26, after the first underscored comma insert "the"

Page 21, line 26, after the second underscored comma insert "and any"

Page 21, line 31, replace the underscored period with "; and

c. Subject to the operating agreement of the limited liability company:

- (1) The limited liability company shall keep the records specified in subdivision k of subsection 1 of section 10-32-51, at the principal executive office of the limited liability company, or at another place or places within the United States as determined under subsection 1 of section 10-32-51, before the limited liability company became subject to this chapter;
- (2) For the purpose of applying paragraph 1, subsections 3 and 4 of section 10-32-56, continue to apply to the limited liability company as if those provisions had not been repealed;
- (3) Subsection 1 of section 10-32.1-30, does not apply to the limited liability company;
- (4) The profits and losses of the limited liability company are to be allocated among the members, and among classes and series of members, in proportion to the value of the contributions of the members reflected in the records required by paragraph 1;
- (5) The voting power of each membership interest is in proportion to the value of the contributions of the members reflected in the records required by paragraph 1;
- (6) Distributions of cash or other assets of the limited liability company, including distributions on the dissolution of the limited liability company, must be allocated in proportion to the value of the contributions of the members reflected in the records required by paragraph 1;
- (7) Subdivision a of subsection 1 and subsections 2 and 3 of 10-32-54 and section 10-32-55 continue to apply to the limited liability company as if those provisions had not been repealed; and
- (8) For the purpose of applying paragraph 7, subsection 1 of section 10-32-40.1 continues to apply to the limited liability company as if that provision had not been repealed."

Page 22, line 14, after the underscored period insert: "With respect to loans, guarantees, and suretyship:

- a. Without in any way limiting the generality of the power of a limited liability company to do all things necessary or convenient to carry on its activities, a limited liability company may lend money to, guarantee an obligation of, become a surety for, or otherwise



financially assist a person, if the transaction, or a class of transactions to which the transaction belongs, is approved pursuant to this chapter and the operating agreement of the limited liability company, and:

- (1) Is in the usual and regular course of business of the limited liability company;
  - (2) Is with, or for the benefit of, a related organization, an organization in which the limited liability company has a financial interest, an organization with which the limited liability company has a business relationship, or an organization to which the limited liability company has the power to make donations, any of which relationships constitute consideration sufficient to make the loan, guarantee, suretyship, or other financial assistance so approved enforceable against the limited liability company;
  - (3) Is with, or for the benefit of, a member who provides services to the limited liability company, or a manager or other employee of the limited liability company or a subsidiary, including a member, manager, or employee who is a governor of the limited liability company or a subsidiary, and may reasonably be expected, in the judgment of the board of governors, to benefit the limited liability company; or
  - (4) Whether or not any separate consideration has been paid or promised to the limited liability company, has been approved by:
    - (a) The owners of two-thirds of the voting power of persons other than the interested person or persons; or
    - (b) The unanimous vote of all members, whether or not ordinarily entitled to vote.
- b. Any loan, guaranty, surety contract, or other financial assistance described in subdivision a may be with or without interest and may be unsecured or may be secured in any manner including, without limitation, a grant of a security interest in the transferable interest of a member in the limited liability company.
- c. This subsection does not grant any authority to act as a bank or to carry on the business of banking."

Page 28, line 6, replace the second "subsection" with "subsections"

Page 28, line 6, after "7" insert "and 8"

Page 28, line 12, replace the second "subsection" with "subsections"

Page 28, line 12, after "7" insert "and 8"

Page 28, line 16, replace the second "subsection" with "subsections"

Page 28, line 16, after "7" insert "and 8"

Page 29, line 8, replace "subsection 1" with "subsection 2"

Page 31, line 18, remove "appoint or"

Page 38, after line 16, insert:

- "11. If a member-managed limited liability company, a manager of a manager-managed limited liability company, or a governor of a board-managed

limited liability company, knows that any information in articles of organization filed with the secretary of state was inaccurate when the articles were filed, or has become inaccurate owing to changed circumstances, the member, manager, or governor shall promptly:

- a. Cause the articles to be amended; or
- b. If appropriate, file with the secretary of state a change of registered agent or change of registered office in the manner prescribed by chapter 10-01.1."

Page 43, line 6, replace "Any" with "Subject to paragraphs 1 through 4 of subdivision c of subsection 4 of section 10-32.1-05, any"

Page 46, line 10, after "member-managed" insert "or board-managed"

Page 46, line 14, after "member" insert ", manager."

Page 50, line 12, replace "5" with "11"

Page 54, line 25, replace "For" with "Subject to subsection 4 of section 10-32.1-05, for"

Page 54, line 26, replace "then current profits" with "distributions"

Page 54, line 27, after "company" insert "before dissolution"

Page 59, line 15, after the second underscored comma insert "subject to subsection 4 of section 10-32.1-05"

Page 59, line 16, remove "member's"

Page 59, line 16, after "interest" insert "of the member"

Page 59, line 16, remove "then"

Page 59, line 17, replace "current profits" with "distributions"

Page 59, line 17, after "company" insert "before dissolution"

Page 62, line 29, after "member-managed" insert "or board-managed"

Page 77, line 2, replace "coowns" with "co-owns"

Page 77, line 4, replace "coowning" with "co-owning"

Page 77, line 9, replace "coowning" with "co-owning"

Page 77, line 10, after "interest" insert ", or interests"

Page 77, line 10, after "member" insert ", or members"

Renumber accordingly

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

**HB 1187, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1187 was placed on the Fourteenth order on the calendar.

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

**HB 1191, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1191 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "to"

Page 1, line 8, replace "which" with "that"

Page 1, line 8, replace "who" with "if the tenant"

Page 1, line 9, remove "to"

Page 1, line 11, replace "describe" with "confirm"

Page 1, line 13, after the underscored period insert "A landlord may not require supporting documentation from a tenant if the tenant's disability or disability-related need for a service animal or assistance animal is readily apparent or already known to the landlord."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1213, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1213 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1246, 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 1246 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1272, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1272 was placed on the Sixth order on the calendar.

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

Page 1, line 7, after "shall" insert "use the resources of the university of North Dakota school of medicine and health sciences center for rural health to"

Page 1, after line 17, insert:

**"SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000, or so much of the sum as may be necessary, to the university of North Dakota school of medicine and health sciences for the purpose of conducting the study under section 1 of this Act, for the biennium beginning July 1, 2015, and ending June 30, 2017."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1280: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1280 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1284: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1284 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 2 of section 21-03-10.1 and"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 2 of section 21-03-10.1 of the North Dakota Century Code is amended and reenacted as follows:

2. ~~The~~A bond election ballot form ~~authorized in substantially the form prescribed in section 21-03-13 is sufficient~~must be used in a school district bond election. After approval of the initial resolution by the number of qualified electors required by section 21-03-07, the proceeds of the bond issue may be used only for the purpose and in the manner designated by the school plan except as herein provided."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1302, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1302 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1311, as engrossed: Industry, Business and Labor Committee (Sen. Klein, 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 1348, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1348 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1378: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1378 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1407, as engrossed: Judiciary Committee (Sen. Hogue, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1407 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1414: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1414 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1428, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1428 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1437, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1437 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "to repeal subsection 9 of section 57-51.1-03 of the North"

Page 1, remove line 4

Page 1, line 5, remove "horizontal wells;"

Page 1, line 12, replace "2017" with "2019"

Page 1, after line 16, insert:

"a."

Page 1, line 19, after "dollars" insert ", but the rate reduction under this subsection does not become effective if at any time during the preceding twelve months the exemption under subsection 3 was effective for the completion of any new horizontal well"

Page 1, line 19, after the period insert:

"b."

Page 1, line 21, after the period insert "The rate reduction under this subsection is ineffective for any month the exemption under subsection 3 is effective for the completion of any new horizontal well."

Page 2, remove lines 4 and 5

Page 2, line 6, replace "Section 1 of this" with "This"

Page 2, line 7, remove "Section 2 of this Act is effective on the first day of any month"

Page 2, remove lines 8 and 9

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1444, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1444 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1445: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1445 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1459, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1459 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3003: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3003 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3006: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3006 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3018, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3018 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3020: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3020 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3026: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3026 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3040: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3040 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3046, as engrossed: Education Committee (Sen. Flakoll, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3046 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3057: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3057 was placed on the Fourteenth order on the calendar.

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

**Jane Schaible, Secretary**