

## JOURNAL OF THE SENATE

## Sixty-fourth Legislative Assembly

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Bismarck, April 1, 2015

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

The prayer was offered by Pastor Marc Eidahl, New Life Church, Bismarck.

The roll was called and all members were present.

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. Poolman, 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 1008, line 4, insert ", as amended," after "Reengrossed HB 1358"

Page 1015, line 27, replace "328" with "329"

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

## MOTION

**SEN. KLEIN MOVED** that HB 1049 be placed at the bottom of the Sixth order, which motion prevailed.

## MOTION

**SEN. KLEIN MOVED** that the Senate amend Senate Rule 329(4) replacing "fifty-eighth legislative day" with "fifty-ninth legislative day", which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**HB 1415, as engrossed: SEN. ARMSTRONG (Energy and Natural Resources Committee) MOVED** that the amendments on SJ pages 1042-1043 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Engrossed HB 1415, as amended, was rereferred to the **Appropriations Committee**.

## CONSIDERATION OF AMENDMENTS

**HB 1390, as reengrossed: SEN. TRIPLETT (Energy and Natural Resources Committee) MOVED** that the amendments on SJ pages 1040-1042 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Reengrossed HB 1390, as amended, was rereferred to the **Appropriations Committee**.

## CONSIDERATION OF AMENDMENTS

**HB 1409, as engrossed: SEN. UNRUH (Energy and Natural Resources Committee) MOVED** that the amendments on SJ page 1001 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 1409:** A BILL for an Act to amend and reenact sections 54-17.8-03, 54-17.8-05, and 57-51-15 of the North Dakota Century Code, relating to the funding and purposes of the outdoor heritage fund; 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 36 YEAS, 11 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Flakoll; Grabinger; Hogue; Holmberg; Kilzer; Klein; Laffen; Lee, G.; Lee, J.; Luick; Miller; Murphy; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Unruh; Wanzek; Wardner

**NAYS:** Axness; Dotzenrod; Heckaman; Krebsbach; Larsen; Marcellais; Mathern; Nelson; O'Connell; Triplett; Warner

Engrossed HB 1409, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1017, as engrossed: SEN. KILZER (Appropriations Committee) MOVED** that the amendments on SJ pages 1035-1036 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 1017:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings.

#### 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 1017, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1022, as engrossed: SEN. ROBINSON (Appropriations Committee) MOVED** that the amendments on SJ pages 1036-1037 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 1022:** A BILL for an Act to provide an appropriation for defraying the expenses of the commission on legal counsel for indigents; and to amend and reenact subsection 6 of section 54-61-01 of the North Dakota Century Code, relating to the commission on legal counsel for indigents.

#### 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 1022, as amended, passed.

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**CONSIDERATION OF AMENDMENTS**

**HB 1229: SEN. SINNER (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 1039-1040 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 1229:** A BILL for an Act to amend and reenact sections 43-09-09.2 and 43-09-14 of the North Dakota Century Code, relating to contracting for electrical services and undertakings for electricians contracting for electrical installations; and to provide for a legislative management study.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 35 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Axness; Bekkedahl; Burckhard; Campbell; Carlisle; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Marcellais; Miller; Nelson; Oban; Poolman; Robinson; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Armstrong; Bowman; Casper; Cook; Davison; Larsen; Mathern; Murphy; O'Connell; Oehlke; Rust; Schaible

HB 1229, as amended, passed.

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**CONSIDERATION OF AMENDMENTS**

**HB 1024, as engrossed: SEN. MATHERN (Appropriations Committee) MOVED** that the amendments on SJ pages 1037-1038 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 1024:** A BILL for an Act to provide an appropriation for defraying the expenses of the comprehensive tobacco control advisory committee.

**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; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Larsen

Engrossed HB 1024, as amended, passed.

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**CONSIDERATION OF AMENDMENTS**

**HB 1005, as engrossed: SEN. CARLISLE (Appropriations Committee) MOVED** that the amendments on SJ pages 1039-1040 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 1005:** A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission; to create and enact a new section to chapter 54-36 of the

North Dakota Century Code, relating to the creation of an North Dakota American Indian business development office within the Indian affairs commission; and to repeal section 54-60-14 of the North Dakota Century Code, relating to the North Dakota American Indian business development office.

#### 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 1005, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1124: SEN. UNRUH (Energy and Natural Resources Committee) MOVED** that the amendments on SJ page 1038 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 1124:** A BILL for an Act to amend and reenact section 49-22-04 of the North Dakota Century Code, relating to utilities' ten-year plans submitted to the public service commission.

#### 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 1124, as amended, passed.

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#### CONSIDERATION OF AMENDMENTS

**HB 1057: SEN. LAFFEN (Finance and Taxation Committee) MOVED** that the amendments on SJ page 1038 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 1057:** A BILL for an Act to create and enact section 57-02-53 of the North Dakota Century Code, relating to notice to a property owner of an assessment increase; to amend and reenact sections 57-09-04, 57-11-03, and 57-12-06 and subsection 2 of section 57-15-02.1 of the North Dakota Century Code, relating to notice to a property owner of an assessment increase; to repeal section 57-12-09 of the North Dakota Century Code, relating to notice to a property owner of an assessment increase; to provide for a legislative management study; 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

HB 1057, as amended, passed.

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#### REPORT OF STANDING COMMITTEE

**HB 1049, as reengrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1049 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "subsection 2 of section 43-45-01 and subsection 2 of"

Page 1, line 3, replace "45-45-04" with "43-45-04"

Page 1, line 4, replace "the transfer of the authority" with "duties"

Page 1, line 5, remove "to the department of human services; to repeal sections 43-45-02, 43-45-03, and"

Page 1, remove line 6

Page 1, line 7, remove "examiners"

Page 1, line 7, after the first semicolon insert "to provide for a department of commerce and board of addiction counseling examiners study; to provide for reports to the legislative management;"

Page 1, line 7, remove "and"

Page 1, line 8, after "transfer" insert "; and to provide an expiration date"

Page 1, remove lines 10 through 23

Page 2, replace lines 1 through 6 with:

**"SECTION 1. AMENDMENT.** Section 43-45-04 of the North Dakota Century Code is amended and reenacted as follows:

#### **43-45-04. Board power, duties, and authority.**

1. The board shall:
  - a. Administer and enforce the provisions of this chapter.
  - b. Evaluate the qualifications of applicants for a license to practice addiction counseling and issue licenses under this chapter.
  - c. Establish ethical standards of practice for persons holding a license to practice addiction counseling in this state.
  - d. Establish continuing education requirements and approve providers of continuing education.
  - e. Approve clinical training programs.

- f. Register clinical trainees.
  - g. Register interns.
  - h. Register clinical supervisors.
  - i. Register licensees for private practice.
  - j. Approve and administer examinations.
  - k. Periodically evaluate initial licensure coursework requirements and clinical training requirements to ensure the requirements are up to date and do not serve as an undue barrier to licensure.
2. The board may:
- a. Adopt rules under chapter 28-32 to implement this chapter.
  - b. Issue subpoenas, examine witnesses, and administer oaths, and may investigate allegations of practices violating the provisions of this chapter.
  - c. Recommend prosecution for violations of this chapter to the appropriate state's attorney.
  - d. Recommend that the attorney general bring civil actions to seek injunctive and other relief against violations of this chapter.
  - e. Collect fees for examinations, initial licensures, renewal of licenses, late renewals, private practice registrations, renewal of private practice registrations, approval of continuing education providers, and administrative fees. The fees must be established by rule in amounts necessary to compensate the board for administration and enforcement of this chapter.
  - f. Employ persons to assist the board in carrying out its duties under this chapter."

Page 2, line 12, replace "an" with "a paid or unpaid"

Page 2, replace lines 27 and 28 with:

**"SECTION 3. DEPARTMENT OF COMMERCE STUDY - LEGISLATIVE MANAGEMENT REPORT.** During the 2015-16 interim, the department of commerce shall work with the North Dakota university system to conduct a study on behavioral health internships. The study shall include ways to help host organizations, students, and other stakeholders facilitate behavioral health internships, the feasibility of giving tax benefits to nonprofit host organizations for participation in behavioral health internships, and the inclusion of the internship as part of coursework. Before July 1, 2016, the department of commerce shall report its findings and recommendations, together with any proposed legislation necessary to implement the recommendations, to the legislative management.

**SECTION 4. BOARD OF ADDICTION COUNSELING EXAMINERS - LEGISLATIVE MANAGEMENT REPORT.** The board of addiction counseling examiners shall evaluate the initial licensure coursework requirements and clinical training requirements noted in subsection 1 of section 43-45-04. Before July 1, 2016, the board of addiction counseling examiners shall report on the status of the periodic evaluation of those requirements to the legislative management."

Page 2, line 31, replace "\$150,000" with "\$500,000"

Page 3, line 3, replace "3" with "2"

Page 3, after line 3, insert:

**"SECTION 6. EXPIRATION DATE.** Section 2 of this Act is effective through July 31, 2017, and after that date is ineffective."

Renumber accordingly

#### CONSIDERATION OF AMENDMENTS

**HB 1049, as reengrossed: SEN. J. LEE (Human Services Committee) MOVED** that the amendments be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Reengrossed HB 1049, as amended, was rereferred to the **Appropriations Committee**.

#### SECOND READING OF HOUSE BILL

**HB 1372:** A BILL for an Act to provide an appropriation for the identification of and provision of services to veterans exposed to agent orange.

#### 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 1372, as amended, passed.

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#### SECOND READING OF HOUSE BILL

**HB 1359:** A BILL for an Act to create and enact section 50-24.5-02.3 of the North Dakota Century Code, relating to basic care payment rates.

#### 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 1359, as amended, passed.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3004:** A concurrent resolution directing the Legislative Management to continue to study medicolegal death investigation in the state and how current best practices, including authorization, reporting, training, certification, and the use of information technology and toxicology, can improve death investigation systems in the state.

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

HCR 3004 was declared adopted on a voice vote.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. MILLER MOVED** that the Senate do not concur in the House amendments to Reengrossed SB 2175 as printed on SJ page 1018 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 2175:** Sens. Klein, Wanzek, Oban.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. COOK MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2035 as printed on SJ pages 992-993 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 2035:** Sens. Laffen, Unruh, Dotzenrod.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. OEHLKE MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2166 as printed on SJ pages 940-943 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 2166:** Sens. Oehlke, Rust, Sinner.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do concur in the House amendments to Engrossed SB 2171 as printed on SJ page 884, which motion prevailed on a voice vote.

Engrossed SB 2171 as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2171:** A BILL for an Act to amend and reenact section 48-01.2-06 of the North Dakota Century Code, relating to multiple prime bids.

**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 2171 passed.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. OEHLKE MOVED** that the Senate do concur in the House amendments to Engrossed SB 2352 as printed on SJ page 884, which motion prevailed on a voice vote.

Engrossed SB 2352 as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2352:** A BILL for an Act to amend and reenact sections 39-10-47 and 39-10-48 of the



North Dakota Century Code, relating to vehicles obstructing highways and vehicles illegally parked on highways.

#### 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 2352 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. MILLER MOVED** that the Senate do concur in the House amendments to SB 2119 as printed on SJ page 940, which motion prevailed on a voice vote.

SB 2119 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2119:** A BILL for an Act to provide for a legislative management study of requirements for the submission of financial statements by public warehouses and grain buyers.

#### 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; 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

**NAYS:** Axness

Engrossed SB 2119 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. DEVER MOVED** that the Senate do concur in the House amendments to Reengrossed SB 2238 as printed on SJ page 944, which motion prevailed on a voice vote.

Reengrossed SB 2238 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2238:** A BILL for an Act to amend and reenact section 23-06-03 of the North Dakota Century Code, relating to providing military caskets or urns for eligible deceased veterans.

#### 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 2238 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. DEVER MOVED** that the Senate do concur in the House amendments to Engrossed SB 2300 as printed on SJ page 945, which motion prevailed on a voice vote.

Engrossed SB 2300 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2300:** A BILL for an Act to amend and reenact sections 54-35.2-01, 54-35.2-02, 54-35.2-03, 54-35.2-04, and 54-35.2-05 of the North Dakota Century Code, relating to transforming the advisory commission on intergovernmental relations into legislative management appointed task forces on intergovernmental issues.

#### 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 2300 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. J. LEE MOVED** that the Senate do concur in the House amendments to Engrossed SB 2065 as printed on SJ page 724, which motion prevailed on a voice vote.

Engrossed SB 2065 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2065:** A BILL for an Act to amend and reenact sections 50-10.1-02, 50-10.1-04, 50-10.1-05, and 50-10.1-07 of the North Dakota Century Code, relating to appointment of state and local ombudsmen, ombudsmen access to facilities and records, posting information about the ombudsman program, and confidentiality of ombudsman records and files.

#### 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 2065 passed.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do concur in the House amendments to Engrossed SB 2123 as printed on SJ page 903, which motion prevailed on a voice vote.

Engrossed SB 2123 as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2123:** A BILL for an Act to amend and reenact section 49-03.1-03 of the North Dakota Century Code, relating to imposing an application fee for a certificate of public convenience and necessity by a utility other than an electric utility.

**ROLL CALL**

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

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

**NAYS:** Dever; Larsen; Mathern; O'Connell

Reengrossed SB 2123 passed.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. J. LEE MOVED** that the Senate do concur in the House amendments to SB 2121 as printed on SJ page 724, which motion prevailed on a voice vote.

SB 2121 as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2121:** A BILL for an Act to amend and reenact section 23-34-01 of the North Dakota Century Code, relating to medical peer review records.

**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 2121 passed.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. J. LEE MOVED** that the Senate do concur in the House amendments to SB 2104 as printed on SJ page 965, which motion prevailed on a voice vote.

SB 2104 as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2104:** A BILL for an Act to create and enact a new section to chapter 23-01 and a new subsection to section 43-15-10 of the North Dakota Century Code, relating to

immunity from liability related to opioid antagonists and limited prescriptive authority for Naloxone rescue kits.

#### 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 2104 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 2037 as printed on SJ pages 963-964, which motion prevailed on a voice vote.

Engrossed SB 2037 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2037:** A BILL for an Act to amend and reenact section 57-06-14.1, subsection 1 of section 57-38-01.8, and section 57-39.2-04.8 of the North Dakota Century Code, relating to taxation of wind turbine electric generation units, an income tax credit for installation of geothermal, solar, wind, or biomass energy devices and a sales tax exemption for machinery or equipment used to produce coal from a new mine; to provide for a legislative management study; to provide for a report; to provide an effective date; and to provide for retroactive 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

Reengrossed SB 2037 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 2181 as printed on SJ page 965, which motion prevailed on a voice vote.

Engrossed SB 2181 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2181:** A BILL for an Act to create and enact a new section to chapter 15.1-07 and section 15.1-07-20.1 of the North Dakota Century Code, relating to the retention of school district records and the employment of a school district business manager; to amend and reenact section 15.1-07-14 of the North Dakota Century Code, relating to school district business managers; and to repeal sections 21-06-05 and 21-06-06 of the North Dakota Century Code, relating to the destruction of school district documents.

**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 2181 passed.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. KLEIN MOVED** that the Senate do concur in the House amendments to Engrossed SB 2283 as printed on SJ page 966, which motion prevailed on a voice vote.

Engrossed SB 2283 as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2283:** A BILL for an Act to create and enact sections 26.1-26-54 and 26.1-26-55 of the North Dakota Century Code, relating to lines of insurance and procedures for travel insurance.

**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 2283 passed.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. OEHLKE MOVED** that the Senate do concur in the House amendments to SB 2255 as printed on SJ pages 944-945, which motion prevailed on a voice vote.

SB 2255 as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2255:** A BILL for an Act to amend and reenact subsection 1 of section 39-31-03, sections 39-31-04, 39-31-06, 39-31-11, 39-31-12, 39-31-13, and 39-31-14 of the North Dakota Century Code, relating to common household goods carriers; and to repeal sections 39-31-05, 39-31-07, 39-31-08, 39-31-09, and 39-31-10 of the North Dakota Century Code, relating to common household goods carriers.

**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 2255 passed.

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#### MOTION

**SEN. KLEIN MOVED** that SB 2292 be placed at the bottom of the Twelfth order, which motion prevailed.

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. HOGUE MOVED** that the Senate do concur in the House amendments to Engrossed SB 2266 as printed on SJ page 1019, which motion prevailed on a voice vote.

Engrossed SB 2266 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2266:** A BILL for an Act to amend and reenact sections 12.1-27.2-01, 12.1-27.2-02, 12.1-27.2-03, 12.1-27.2-04, and 12.1-27.2-05 of the North Dakota Century Code, relating to the use of minors in sexual performances; 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 2266 passed.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. J. LEE MOVED** that the Senate do concur in the House amendments to SCR 4016 as printed on SJ pages 884-885, which motion prevailed on a voice vote.

SCR 4016 as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4016:** A concurrent resolution urging Congress and the President of the United States to direct the federal Food and Drug Administration to allow the use of experimental medications to treat Pantothenate kinase-associated neurodegeneration (PKAN) for the benefit of the three children of the Kulsrud family living in Grace City, North Dakota.

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

Engrossed SCR 4016 was declared adopted on a voice vote.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1186, HB 1194, HB 1352, HB 1394, HB 1395, HCR 3018, HCR 3020, HCR 3026, HCR 3040, HCR 3046.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1081, HB 1085, HB 1158, HB 1249, HB 1474.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1145.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1078, HB 1459, HCR 3057.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, unchanged: SB 2154, SB 2182, SB 2276.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2085, SB 2105, SB 2226, SB 2299, SB 2327, SB 2343, SCR 4006, SCR 4010, SCR 4019.

#### HOUSE AMENDMENTS TO SENATE BILL NO. 2085

Page 1, line 3, after the first comma insert "43-25-05.1, 43-25-06,"

Page 1, line 10, remove "except that criminal history checks need not be made"

Page 1, line 11, remove "unless required by the board"

Page 1, after line 14 insert:

"1."

Page 1, line 15, after the period insert:

"a."

Page 1, line 15, overstrike "of the"

Page 1, line 16, replace "actively" with "annually work at least five hundred hours"

Page 1, line 17, overstrike "The" and insert immediately thereafter "These"

Page 1, line 18, after "for" insert "terms of"

Page 1, line 18, overstrike "Two"

Page 1, overstrike line 19

Page 1, line 20, overstrike "massage therapist,"

Page 1, line 20, replace "nor have a direct and substantial financial interest in massage therapy." with

"b. One member of the board"

Page 1, line 21, overstrike "appointed as" and insert immediately thereafter "a"

Page 1, line 21, overstrike "members" and insert immediately thereafter "member. To qualify as a consumer member an individual may not be or have been a massage therapist, may not have an immediate family member who is a massage therapist, may not be an owner of or have an affiliation with a massage school, may not be a current or past member of any other health care licensing entity, may not have a fiduciary obligation to a facility rendering health care services, and may not have a direct and substantial financial interest in massage therapy. This member must be appointed"

Page 1, line 21, after "for" insert "a"

Page 1, line 21, overstrike "terms" and insert immediately thereafter "term"

Page 1, line 21, overstrike "of one"

Page 1, line 22, overstrike "member expires each year" and insert immediately thereafter "expires with a licensed board member but not with the instructor board member"

Page 1, line 22, after the period insert:

"c. One member of the board must be an instructor at a school of massage that meets the standards set by the board. This member must be appointed for a term of two years staggered so it expires with a licensed board member but not with the consumer board member.

d."

Page 2, after line 2 insert:

"2."

Page 2, after line 6, insert:

**"SECTION 3. AMENDMENT.** Section 43-25-05.1 of the North Dakota Century Code is amended and reenacted as follows:

**43-25-05.1. Powers and duties of the board.**

The board has the following powers and duties:

1. The board may adopt and enforce rules as necessary to implement this chapter.
2. The board ~~may~~ periodically shall inspect or cause to be inspected all massage establishments. The board and ~~its~~the board's agents ~~are authorized to~~may enter and inspect any massage establishment at any time during which the establishment is open for the transaction of business.
3. The secretary-treasurer ~~may~~shall prepare and submit to the governor a biennial report detailing income and expenses and a list of licensed massage therapists.
4. The board may hire office personnel deemed necessary by ~~it~~the board for carrying on ~~its~~the board's official duties and shall set the compensation to be paid to the personnel.

**SECTION 4. AMENDMENT.** Section 43-25-06 of the North Dakota Century Code is amended and reenacted as follows:

**43-25-06. Removal of members of board of massage - Officers of the board.**

The governor may remove from office ~~members~~a member of the board for failure to maintain the qualifications for appointment, for neglect of duties as required by this chapter ~~or~~, for malfeasance in office and incompetency, or for unprofessional conduct. The governor may fill any vacancy caused by removal of any member of the board, on the member's resignation or death."

Page 2, line 10, replace "may" with "shall"

Page 2, line 10, replace "any" with "an"

Page 2, line 10, remove "or licensee"

Page 2, line 11, after the underscored period insert "The board may require a licensee under this chapter to submit to a statewide and nationwide criminal history record check."

Page 2, line 22, remove "including at least three hours of ethics."



Page 2, line 23, after the period insert "For the first renewal after becoming licensed in this state, a minimum of three hours of the required twenty-four hours must be ethics education."

Page 2, line 27, after "individuals" insert "shall"

Page 2, line 27, overstrike "their"

Page 2, line 28, after "individuals" insert "shall"

Page 2, line 28, overstrike "their"

Page 5, line 2, overstrike "shall" and insert immediately thereafter "are entitled to"

Page 5, line 2, remove "for an in-person meeting"

Page 5, line 9, overstrike "person" and insert immediately thereafter "individual"

Page 5, line 15, overstrike "a person"

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2105**

Page 1, line 14, overstrike "was issued" and insert immediately thereafter "effective date"

Page 1, line 17, replace "the" with ":

(1) The"

Page 1, line 17, overstrike the comma and insert immediately thereafter an underscored semicolon

Page 1, line 18, overstrike the first "the" and insert immediately thereafter:

"(2) The"

Page 1, line 19, overstrike "This" and insert immediately thereafter:

"b."

Page 1, line 20, replace "subsection" with "Subdivision a"

Page 1, line 23, remove "Policies"

Page 1, line 23, overstrike "with"

Page 1, line 23, remove "automatic"

Page 1, line 23, overstrike "inflation"

Page 1, line 23, remove "-adjusted"

Page 1, line 23, overstrike "limits"

Page 1, line 23, remove the underscored semicolon

Page 2, line 1, remove "(3)"

Page 2, line 3, replace "(4)" with "(3)"

Page 2, line 5, overstrike "b." and insert immediately thereafter "c."

Page 2, line 8, overstrike "c." and insert immediately thereafter "d."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2226**

Page 1, line 1, after "sections" insert "54-40.2-04, 54-40.2-05,"

Page 1, line 1, after "57-51.2-01" insert a comma

Page 1, line 2, after the first "to" insert "legislative confirmation of state-tribal tax collection agreements and the"

Page 1, line 5, after "boundaries" insert "; and to provide an effective date"

Page 1, after line 6, insert:

**"SECTION 1. AMENDMENT.** Section 54-40.2-04 of the North Dakota Century Code is amended and reenacted as follows:

**54-40.2-04. Approval of agreement by governor and tribes - Approval by legislative assembly for tax collection agreements.**

As a condition precedent to an agreement made under this chapter becoming effective, it must have the approval of the governor of North Dakota and the governing bodies of the tribes involved. If the agreement is a tax collection agreement between the tax commissioner and one or more tribes, the agreement also is subject to confirmation by a majority of members elected to the house of representatives and the senate and does not become effective until its legislative confirmation date or the effective date in the agreement, whichever is later. Each tax collection agreement presented for legislative confirmation must contain an expiration date not later than March thirty-first of the next ensuing odd-numbered year. If the agreement so provides obtains the approvals under this section and, if required, legislative confirmation under this section, it may be submitted to the secretary for approval.

**SECTION 2. AMENDMENT.** Section 54-40.2-05 of the North Dakota Century Code is amended and reenacted as follows:

**54-40.2-05. Filing of agreement.**

~~Within ten days after a declaration of~~After approval by the governor and following approval of the agreement by the tribe or tribes affected by the agreement and, if required, legislative confirmation, and prior to commencement of its performance, an agreement made pursuant to this chapter must be filed with:

1. The secretary.
2. The clerk of court of each county where the principal office of one of the parties to the agreement is located.
3. The secretary of state.
4. The affected tribal government."

Page 1, line 10, after "enter" insert "separate"

Page 1, line 10, remove the overstrike over "agreements"

Page 1, line 10, remove "an"

Page 1, line 11, remove "agreement"

Page 1, line 12, after "Indians" insert an underscored comma

Page 1, after line 16, insert:

"Each agreement under this chapter is subject to confirmation by a majority of members elected to the house of representatives and the senate and does not become effective until its confirmation date or the effective date in the agreement, whichever is later. Each agreement presented for confirmation must contain an expiration date not later than March thirty-first of the next ensuing odd-numbered year."

Page 3, after line 28, insert:

**"SECTION 5. EFFECTIVE DATE.** This Act is effective for agreements entered after July 31, 2015."

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2299**

Page 2, line 21, remove "a financial institution."

Renumber accordingly

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

Page 1, line 12, replace "no less than monthly" with "every Monday morning"

Page 1, line 13, replace "Within thirty days after receiving a report, the" with "The"

Page 1, line 19, replace "no less than monthly" with "every Monday morning"

Page 1, line 19, replace "Within thirty days after receiving a report, the" with "The"

Page 1, line 22, remove "The director of the department of corrections and rehabilitation shall provide"

Page 1, remove lines 23 and 24

Page 2, replace lines 1 and 2 with "An individual who has been convicted of and incarcerated for a felony and whose civil rights have been restored as provided under chapter 12.1-33 must be allowed to vote if the individual meets the qualifications of an elector under section 16.1-01-04. The county auditor shall change the status of the individual's record in the central voter file as necessary."

Renumber accordingly

#### **HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2343**

Page 1, line 11, after "38-08" insert ", excluding spacing unit orders."

Renumber accordingly

#### **HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4006**

Page 1, line 1, remove "to North"

Page 1, line 2, remove "Dakotans"

Page 1, line 2, replace "supplementary" with "supplemental"

Page 1, line 2, after "program" insert "and the impact of the marriage penalty on retirement benefits"

Page 1, line 3, remove "this"

Page 1, line 4, replace "issue" with "the impact"

Page 1, line 5, replace "supplementary" with "supplemental"

Page 1, line 5, after "rescues" insert "from poverty"

Page 1, line 5, replace "people" with "individuals"

Page 1, line 6, replace "North Dakota from poverty" with "this state"

Page 1, after line 6, insert:

**"WHEREAS**, many older residents depend on social security benefits for retirement income; and"

Page 1, line 8, replace "the" with "a"

Page 1, line 8, replace the comma with a semicolon

Page 1, line 8, after "and" insert **"WHEREAS**,"

Page 1, line 8, replace "supplementary" with "supplemental"

Page 1, line 9, remove "benefits"

Page 1, line 10, replace ", which provides" with "; and"

**WHEREAS**, social security benefits may be reduced for married couples;  
and

**WHEREAS**, such circumstances provide"

Page 1, line 11, replace "people" with "retired individuals and individuals"

Page 1, line 12, replace "North Dakota" with "this state"

Page 1, line 12, after "marriage" insert a semicolon

Page 1, after line 12, insert:

**"WHEREAS**, an"

Page 1, line 13, replace the second "of" with "that"

Page 1, line 13, after "penalty" insert "has"

Page 1, line 13, replace "supplementary" with "supplemental"

Page 1, line 14, after "income" insert "program and the social security"

Page 1, line 14, replace the first comma with a semicolon

Page 1, line 14, replace the second comma with "by the marriage penalty;"

Page 1, line 14, after "impact" insert "of the marriage penalty"

Page 1, line 14, replace the third comma with "; the"

Page 1, line 15, after "recipients" insert "in this state"

Page 1, line 15, replace "the cost of" with "their"

Page 1, line 15, remove "for North Dakota residents,"

Page 1, line 16, replace "assessing" with a semicolon

Page 1, line 16, after "whether" insert "the marriage penalty holds"

Page 1, line 16, remove "are held"

Page 1, line 16, replace "North Dakota," with "this state;"

Page 1, line 17, replace "policies in states that subsidize supplementary security income for their residents" with "the manner in which other states address the impact of the marriage penalty"

Page 1, line 20, remove "to North Dakotans"

Page 1, line 21, replace "supplementary" with "supplemental"

Page 1, line 21, after "program" insert "and the impact of the marriage penalty on retirement benefits"

Page 2, line 3, replace "them" with "members of the Congressional Delegation"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE CONCURRENT RESOLUTION  
NO. 4010**

Page 1, line 1, after "A concurrent resolution" replace the remainder of the resolution with "directing the Legislative Management to study the residency requirements of members of the Legislative Assembly.

**WHEREAS**, North Dakota Century Code Section 44-02-01 provides that an office becomes vacant if the incumbent ceases to be a resident of the state, district, county, or other political subdivision in which the duties of the office are to be discharged, or for which the individual may have been elected; and

**WHEREAS**, questions have arisen regarding the statutory provision and how it applies to members of the Legislative Assembly;

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That the Legislative Management study the residency requirements of members of the Legislative Assembly; and

**BE IT FURTHER RESOLVED**, that the Legislative Management report its findings and recommendations, together with any legislation required to implement the recommendations, to the Sixty-fifth Legislative Assembly."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE CONCURRENT RESOLUTION NO.  
4019**

Page 1, line 2, replace "utilizing state funds to provide" with "procuring"

Page 1, line 3, replace "to" with "for"

Page 1, line 8, replace "administering" with "administration"

Page 1, line 17, remove "utilizing state"

Page 1, line 18, replace "funds to provide" with "procuring"

Page 1, line 18, replace the second "to" with "for"

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2277.

**HOUSE AMENDMENTS TO SENATE BILL NO. 2277**

Page 1, line 18, overstrike "first appointed after July 21, 2011, must be residents of the state,"

Page 1, line 20, after the period insert "Commissioners first appointed after July 21, 2011, must be residents of the state."

Renumber accordingly

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2141, SB 2222, SB 2294, SB 2374, SCR 4002, SCR 4022.

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2037, SB 2065, SB 2104, SB 2119, SB 2121, SB 2123, SB 2171, SB 2181, SB 2238, SB 2255, SB 2266, SB 2283, SB 2300, SB 2352, and SCR 4016.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2035, SB 2166, and SB 2175, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2035:** Sens. Laffen; Unruh; Dotzenrod

**SB 2166:** Sens. Oehlke; Rust; Sinner

**SB 2175:** Sens. Klein; Wanzek; Oban

**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 2092:** Reps. Sukut; Paur; Hanson

**SB 2120:** Reps. Schreiber Beck; Zubke; Mock

**SB 2143:** Reps. Looyesen; Meier; Nathe

**SB 2326:** Reps. D. Johnson; Looyesen; Hunsakor

**SB 2356:** Reps. Brabandt; Devlin; Muscha

**SCR 4011:** Reps. Froseth; Lefor; Hunsakor

**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 2109:** Reps. Weisz; Olson; M. Nelson

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1041, HB 1238, and HB 1370.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1056, HB 1206, HB 1256, HB 1283, HB 1396, and HB 1469, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1056:** Reps. Dockter; Trottier; Mitskog

**HB 1206:** Reps. D. Johnson; Schreiber Beck; Kelsh

**HB 1256:** Reps. Owens; Dockter; Haak

**HB 1283:** Reps. Owens; Meier; Delmore; Amerman

**HB 1396:** Reps. D. Anderson; Porter; Mooney

**HB 1469:** Reps. Hofstad; Fehr; Oversen

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1060, HB 1082, HB 1083, HB 1107, HB 1302, HB 1311, HB 1378, HB 1428, HB 1445, HCR 3003, HCR 3006.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1407.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** Your signature is respectfully requested on: HCR 3005.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2077, SB 2086.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: HB 1215, HB 1228, HB 1309, HB 1314, HB 1365, HB 1401, HB 1455, HB 1463, HB 1467, HCR 3012, HCR 3037, HCR 3048, HCR 3049.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on April 1, 2015, I have signed the following: SB 2057, SB 2096, SB 2130, SB 2145, SB 2209, SB 2270, SB 2285, SB 2324, SB 2331, and SB 2371.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:00 p.m., Thursday, April 2, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1089, 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 1089 was placed on the Sixth order on the calendar.

Page 2, line 17, after "b." insert "Data center" means a centralized repository for the storage, management, and dissemination of electronic data and information organized around a particular body or bodies of knowledge.

c."

Page 2, line 26, replace "c." with "d."

Page 2, line 28, replace "d." with "e."

Page 2, line 30, after "buildings" insert ", the primary purpose of which is to contain a data center."

Page 3, line 13, replace "e." with "f."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1095, as engrossed: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1095 was placed on the Sixth order on the calendar.

Page 1, line 17, remove "funds have been appropriated"

Page 1, line 18, remove "approved by the legislative assembly for a specific project"

Page 1, line 19, overstrike "appropriated" and insert immediately thereafter "approved by Congress, the legislative assembly, or any federal or state agency"

Page 4, line 26, replace "the" with "that"

Page 4, line 30, remove ""Drain" also"

Page 4, remove line 31

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1102: 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 1102 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "65-05-02" with "65-01-02"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1210, as engrossed: Judiciary Committee (Sen. Hogue, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1210 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 4 of section 27-20-13 and"

Page 1, line 3, remove "; and to amend and reenact"

Page 1, remove lines 4 and 5

Page 1, line 6, remove "custodian of a deprived child"

Page 1, remove lines 8 through 19

Page 1, line 23, replace "shall" with "must"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1294: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1294 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1328, as engrossed: Judiciary Committee (Sen. Hogue, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1328 was placed on the Sixth order on the calendar.

Page 1, line 1, after "of" insert "an"

Page 2, line 2, after "warrant" insert ", unless the information was obtained under the circumstances described in subdivision a or b of subsection 1 or was obtained through the monitoring of public lands or international borders"

Page 3, line 27, after "the" insert "lawful"

Page 3, line 27, after "rights" insert ", unless the surveillance is otherwise allowed under this chapter"

Page 3, line 27, remove "A state agency may not authorize"

Page 3, remove lines 28 through 30

Renumber accordingly



**REPORT OF STANDING COMMITTEE**

**HB 1399, 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 1399 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of spousal support."

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - SPOUSAL SUPPORT.** During the 2015-16 interim, the legislative management shall study the types of spousal support ordered by the district courts and the desirability of providing statutory guidance for awards of spousal support. The legislative management shall report its findings and recommendations, together with any proposed legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

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

**Jane Schaible, Secretary**

