

JOURNAL OF THE SENATE

Sixty-fourth Legislative Assembly

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Bismarck, January 12, 2015

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

The prayer was offered by Sister Kathleen Atkinson, Annunciation Monastery, Bismarck.

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

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

SB 2053: SEN. NELSON (Judiciary Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2109: SEN. OEHLKE (Transportation Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

MOTION

SEN. KLEIN MOVED that SCR 4001 and SCR 4002 be moved to the top of the Eleventh order, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4001: A concurrent resolution directing the Legislative Management to study the financial reports required by law to be compiled and filed by political subdivisions to determine whether they are being used to full advantage and whether they should be improved, consolidated, or eliminated.

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

SCR 4001 was declared adopted on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4002: A concurrent resolution directing the Legislative Management to study statutory usage of various references to political subdivisions and the feasibility of differentiating references to political subdivisions based on whether the governing body is elected or appointed.

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

SCR 4002 was declared adopted on a voice vote.

MOTION

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

MOTION

SEN. KLEIN MOVED that the Senate be on the Fifth and Ninth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, January 13, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2062: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2062 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2068: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2068 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2082: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2082 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

Sens. J. Lee, Armstrong, Nelson and Reps. Delmore, Klemin, Weisz introduced:

SB 2168: A BILL for an Act to create and enact a new section to chapter 30.1-28 of the North Dakota Century Code, relating to confidentiality of reports and personal information in guardianship proceedings; and to amend and reenact section 30.1-28-03, subsection 5 of section 30.1-28-04, subsection 2 of section 30.1-28-05, subsections 1 and 2 of section 30.1-28-09, section 30.1-28-10.1, subsections 5, 8, and 9 of section 30.1-28-12, and subsection 2 of section 30.1-29-01 of the North Dakota Century Code, relating to petitions, guardians ad litem, reports, contents of court orders, service of orders and notice requirements in guardianship proceedings, emergency guardians, guardian duties and annual reports, and the appointment of a conservator.

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

Sens. Rust, Hogue, O'Connell and Reps. B. Anderson, Hatlestad, Hunsakor introduced:

SB 2169: A BILL for an Act to amend and reenact section 15.1-27-04.1 of the North Dakota Century Code, relating to mineral revenue received by school districts; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the **Education Committee**.

Sens. Carlisle, Kilzer and Rep. Maragos introduced:

SB 2170: A BILL for an Act to amend and reenact sections 65-05-26 and 65-05-38 of the North Dakota Century Code, relating to workers' compensation burial expenses and benefits for a surviving spouse; and to provide for application.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Klein, Murphy, Poolman and Reps. Amerman, Keiser, Ruby introduced:

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.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Bekkedahl, Dotzenrod and Reps. Frantsvog, Glassheim, Steiner introduced:

SB 2172: A BILL for an Act to amend and reenact sections 57-51-14 and 57-51.1-06 of the North Dakota Century Code, relating to allocation and distribution of the oil and gas gross production tax and the oil extraction tax pursuant to the distribution rules in place when revenue is received; and to provide an effective date.

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

Sens. Klein, J. Lee, Murphy and Reps. Keiser, Oversen, Weisz introduced:

SB 2173: A BILL for an Act to amend and reenact section 43-15-31.4 of the North Dakota Century Code, relating to the governance of prescriptive practices for pharmacists.

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

Sens. Mathern, J. Lee and Reps. Glassheim, Keiser, M. Nelson introduced:

SB 2174: A BILL for an Act to provide for a legislative management study of the state's health care delivery system.

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

Sens. Klein, O'Connell, Wanzek and Reps. Boe, D. Johnson, Pollert introduced:

SB 2175: A BILL for an Act to amend and reenact sections 57-43.1-03.1 and 57-43.2-19 of

the North Dakota Century Code, relating to fuel tax refunds and the special fuels excise tax.

Was read the first time and referred to the **Agriculture Committee**.

Sens. Heckaman, Mathern and Reps. Rohr, Wallman introduced:

SB 2176: A BILL for an Act to amend and reenact section 23-01-41 of the North Dakota Century Code, relating to the autism spectrum disorder database; and to declare an emergency.

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

Sen. Holmberg and Rep. Pollert introduced:

SB 2177: A BILL for an Act to provide for an appropriation to defray the expenses of the department of human services for the modification of the department's eligibility systems; to provide an exemption; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

Sens. Schaible, Heckaman, G. Lee, Rust and Reps. Kempenich, Rohr introduced:

SB 2178: A BILL for an Act to create and enact a new section to chapter 15.1-36 of the North Dakota Century Code, relating to the North Dakota school district construction fund; to provide for a transfer; and to declare an emergency.

Was read the first time and referred to the **Education Committee**.

Sens. Oehlke, Poolman, Unruh and Reps. Oversen, Owens introduced:

SB 2179: A BILL for an Act to amend and reenact section 26.1-40-25 of the North Dakota Century Code, relating to evidence of motor vehicle insurance.

Was read the first time and referred to the **Transportation Committee**.

Sen. Holmberg introduced:

SB 2180: A BILL for an Act to amend and reenact section 47-19-41 of the North Dakota Century Code, relating to unrecorded conveyances.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sens. Rust, Luick, Marcellais and Reps. Kelsh, B. Koppelman, J. Nelson introduced:

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 board minutes and the employment of a school district business manager; to amend and reenact sections 15.1-07-14 and 15.1-07-21 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.

Was read the first time and referred to the **Education Committee**.

Sens. Poolman, Casper, Nelson and Reps. K. Koppelman, Kretschmar, Amerman introduced:

SB 2182: A BILL for an Act to amend and reenact sections 51-04-10 and 51-15-02, subsection 2 of section 51-18-02, and sections 51-18-04 and 51-18-04.1 of the North Dakota Century Code, relating to transient merchants, unlawful practices, and home solicitation sales; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

Sens. Campbell, Dotzenrod, Laffen, Wanzek and Reps. Belter, Brandenburg introduced:

SB 2183: A BILL for an Act to amend and reenact section 4-14.2-02 of the North Dakota Century Code, relating to the membership of the northern crops council.

Was read the first time and referred to the **Agriculture Committee**.

Sens. Campbell, Armstrong, Luick and Reps. Owens, Paur, Trottier introduced:

SB 2184: A BILL for an Act to amend and reenact section 53-06.1-10.1 of the North Dakota Century Code, relating to prize limits for raffles.

Was read the first time and referred to the **Judiciary Committee**.

Sens. Burckhard, Oehlke and Reps. Bellew, Dockter, Frantsvog, Schatz introduced:

SB 2185: A BILL for an Act to amend and reenact sections 43-19.1-25 and 43-19.1-26 of the North Dakota Century Code, relating to disciplinary action procedure for professional engineers and land surveyors.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sen. Larsen introduced:

SB 2186: A BILL for an Act to amend and reenact sections 4.1-08-02, 4.1-08-06, and 4.1-08-07 of the North Dakota Century Code, relating to honey assessments; and to provide an effective date.

Was read the first time and referred to the **Agriculture Committee**.

Sen. Klein and Rep. Keiser introduced:

SB 2187: A BILL for an Act to amend and reenact sections 26.1-44-06.1 and 26.1-44-08 of the North Dakota Century Code, relating to surplus lines insurance filings; to provide a penalty; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Klein, Luick, Oehlke and Reps. Louser, Monson, Schreiber Beck introduced:

SB 2188: A BILL for an Act to amend and reenact section 43-07-02 and subsection 3 of section 43-07-10 of the North Dakota Century Code, relating to providing penalties for operating without a contractor's license and committing construction fraud; to repeal section 43-07-18 of the North Dakota Century Code, relating to the penalty for operating without a contractor's license; and to provide a penalty.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Klein, Dotzenrod, Unruh and Reps. Laning, Zubke introduced:

SB 2189: A BILL for an Act to amend and reenact sections 43-35-05, 43-35-06, 43-35-07, 43-35-14, and 43-35-22 of the North Dakota Century Code, relating to the board of water well contractors; and to provide a penalty.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Armstrong, Bekkedahl, Schaible and Rep. Kempenich introduced:

SB 2190: A BILL for an Act to amend and reenact section 38-08-04.5 of the North Dakota Century Code, relating to the abandoned oil and gas well plugging and site reclamation fund.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

Sens. Unruh, Holmberg, Mathern and Reps. Rick C. Becker, Boschee, Meier introduced:

SB 2191: A BILL for an Act to create and enact a new subsection to section 43-17-02 and chapter 43-61 of the North Dakota Century Code, relating to the regulation of acupuncturists; to amend and reenact sections 43-17-41, 43-57-01, 43-57-03, 43-57-06, 43-57-07, and 43-57-11 of the North Dakota Century Code, relating to duties of acupuncturists and the board of integrative health care; and to provide a penalty.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Armstrong, Hogue and Reps. Delmore, Maragos introduced:

SB 2192: A BILL for an Act to amend and reenact sections 12.1-17-02 and 12.1-32-09.1 of the North Dakota Century Code, relating to the sentencing of offenders for aggravated assault.

Was read the first time and referred to the **Judiciary Committee**.

Sens. Dever, Hogue, Nelson and Reps. Delmore, Karls, Maragos introduced:

SB 2193: A BILL for an Act to amend and reenact subsection 2 of section 12.1-17-01 and subsection 1 of section 12.1-17-11 of the North Dakota Century Code, relating to the offenses of assault and contact by fluids or excrement upon a health care provider; and to provide a penalty.

Was read the first time and referred to the **Judiciary Committee**.

Sens. Unruh, Dever, Mathern and Reps. Boschee, Meier, Seibel introduced:

SB 2194: A BILL for an Act to create and enact section 43-58-11 of the North Dakota Century Code, relating to the regulation of naturopaths; and to amend and reenact sections 43-58-01 and 43-58-08 of the North Dakota Century Code, relating to the regulation of naturopaths.

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

Sens. Oehlke, Bekkedahl, Dotzenrod and Reps. Hatlestad, Trottier, Weisz introduced:

SB 2195: A BILL for an Act to amend and reenact section 57-15-19.2 of the North Dakota Century Code, relating to the township special road fund.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sen. Cook introduced:

SB 2196: A BILL for an Act to amend and reenact subsection 8 of section 54-01.1-02, sections 57-02-04 and 57-02-08, subsection 4 of section 57-02-08.1, and sections 57-12-09, 57-20-07, 57-23-09, and 57-55-10 of the North Dakota Century Code, relating to exclusion of intangible personal property from assessments of real property, notice of assessments to property owners, exclusion of de minimus property tax from collection, and refunds on overpayment of property taxes; and to provide an effective date.

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

Sens. Bekkedahl, Poolman and Reps. Hawken, Hofstad, Keiser, Meier introduced:

SB 2197: A BILL for an Act to provide an appropriation to the state department of health to expand a dental sealant program for elementary aged students and for a dental case management pilot project.

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

Sens. Campbell, Armstrong, Larsen and Reps. Damschen, Kasper, Ruby introduced:

SB 2198: A BILL for an Act to amend and reenact section 39-24-09.1 of the North Dakota Century Code, relating to the minimum age for snowmobile operators.

Was read the first time and referred to the **Transportation Committee**.

Sens. Dever, Armstrong, Nelson and Reps. Haak, Oversen, Sanford introduced:

SB 2199: A BILL for an Act to provide an appropriation to the department of human services for a human trafficking victims treatment and support services pilot project; and to provide for a report to the legislative management.

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

Sens. Kilzer, Warner and Reps. Kretschmar, Nathe introduced:

SB 2200: A BILL for an Act to amend and reenact sections 19-01-10 and 19-03.1-37 of the North Dakota Century Code, relating to reports issued by the state crime laboratory.

Was read the first time and referred to the **Judiciary Committee**.

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

Jane Schaible, Secretary

