

## JOURNAL OF THE SENATE

## Sixty-fifth Legislative Assembly

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Bismarck, February 9, 2017

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

The prayer was offered by Chaplain Curtis Dikoff, Crisis Care Chaplaincy, Bismarck.

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

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. Anderson, Chairman)** has carefully examined the Journal of the Twenty-fourth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 324, line 39, replace "7 YEAS, 0 NAYS" with "5 YEAS, 2 NAYS"

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

**MOTION**

**SEN. KLEIN MOVED** that SB 2216 be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2216 was rereferred.

**MOTION**

**SEN. KLEIN MOVED** that Senate Rule 329 be amended, replacing "twenty-fifth legislative day" with "twenty-seventh legislative day", which motion prevailed.

**MOTION**

**SEN. KLEIN MOVED** that after action taken on the Sixth order, SB 2283, SB 2230, SB 2281, and SB 2162 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2258: SEN. KLEIN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 337 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2326: SEN. LAFFEN (Finance and Taxation Committee) MOVED** that the amendments on SJ pages 339-340 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3023.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Carlson, Hogan, Mock, Porter, Vigasaa and Sens. Heckaman, Wardner introduced: (Approved by the Delayed Bills Committee)

**HCR 3023:** A concurrent resolution declaring February 9, 2017, as "Giving Hearts Day". Was read the first time.

**MOTION**

**SEN. KLEIN MOVED** that the rules be suspended, that HCR 3023 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Reps. Carlson, Hogan, Mock, Porter, Vigesaa and Sens. Heckaman, Wardner introduced:  
(Approved by the Delayed Bills Committee)

**HOUSE CONCURRENT RESOLUTION NO. 3023**

A concurrent resolution declaring February 9, 2017, as "Giving Hearts Day".

**WHEREAS**, Giving Hearts Day was started in 2008 by the Dakota Medical Foundation and Impact Foundation as the first one-day "virtual" fundraising event of its kind in the region; and

**WHEREAS**, in 2014 the Alex Stern Family Foundation joined Dakota Medical Foundation and Impact Foundation as a cohost; and

**WHEREAS**, this twenty-four hour fundraising event in North Dakota and western Minnesota is dedicated to inspiring donations for charities at givingheartsday.org; and

**WHEREAS**, the Dakota Medical Foundation, Impact Foundation, and the Alex Stern Family Foundation jointly support givingheartsday.org to create a powerful regional, user-friendly website for donors to find and connect with charities, and for nonprofits to receive donations and recruit volunteers; and

**WHEREAS**, last year, \$8.3 million was raised from 14,538 donors, directly benefiting 326 charities, and since its start, over \$30.9 million has been raised; and

**WHEREAS**, Giving Hearts Day 2017 includes over 360 nonprofit organizations and spans the entire state of North Dakota and western Minnesota; and

**WHEREAS**, up to \$50,000 in new donor incentives will be awarded by Dakota Medical Foundation to randomly selected participating charities throughout the day including two \$10,000 "boost" awards to charities announced at 6:00 p.m. and 10:00 p.m. on February 9, 2017; and

**WHEREAS**, North Dakota citizens are encouraged to support Giving Hearts Day and to invite a friend to match their commitment to make financial donations to local charities that improve quality of life across the state;

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

That the Sixty-fifth Legislative Assembly declares February 9, 2017, as "Giving Hearts Day"; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward a copy of this resolution to the Dakota Medical Foundation, the Impact Foundation, and the Alex Stern Family Foundation.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3023:** A concurrent resolution declaring February 9, 2017, as "Giving Hearts Day".

The question being on the final adoption of the resolution, which has been read.

HCR 3023 was declared adopted on a voice vote.

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**CONSIDERATION OF AMENDMENTS**

**SB 2301: SEN. POOLMAN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 338 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2320: SEN. ANDERSON (Human Services Committee) MOVED** that the amendments on SJ page 339 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2312: SEN. KREUN (Human Services Committee) MOVED** that the amendments on SJ pages 338-339 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2283: SEN. LAFFEN (Finance and Taxation Committee) MOVED** that the amendments on SJ page 338 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2283:** A BILL for an Act to create and enact a new subsection to section 57-01-02 of the North Dakota Century Code, relating to denial of tax incentives to taxpayers delinquent on the payment of state or local taxes; 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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2283 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2230: SEN. BURCKHARD (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 336-337 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2230:** A BILL for an Act to provide for a legislative management study of providing an income tax credit for premiums for hybrid long-term care partnership plan insurance coverage.

**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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2230 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2281: SEN. ANDERSON (Human Services Committee) MOVED** that the amendments on SJ pages 337-338 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2281:** A BILL for an Act to create and enact a new subsection to section 50-09-08.6 of the North Dakota Century Code, relating to notice of a motor vehicle operator's license restriction for nonpayment of child support.

**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 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Larsen, O.

**ABSENT AND NOT VOTING:** Davison

Engrossed SB 2281 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2162: SEN. J. LEE (Human Services Committee) MOVED** that the amendments on SJ pages 319-320 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2162:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to professional student exchange programs; to amend and reenact sections 43-28.1-01 and 43-28.1-03 of the North Dakota Century Code, relating to the dental student loan repayment program; to provide for a legislative management study; and to provide for application.

#### MOTION

**SEN. ERBELE MOVED** that Engrossed SB 2162 be amended as follows, which motion prevailed on a verification vote.

Page 1, line 13, replace the first underscored comma with "or"

Page 1, line 13, remove ", or veterinary medicine"

Page 1, line 17, replace the first underscored comma with "or"

Page 1, line 17, remove ", or veterinary medicine"

Page 1, line 20, replace the underscored comma with "or"

Page 1, line 21, remove ", or veterinary medicine"

Page 2, line 4, replace the first underscored comma with "or"

Page 2, line 4, remove ", or veterinary medicine"

Page 4, line 11, replace the first comma with "or"

Page 4, line 11, remove ", or veterinary medicine"

ReNUMBER accordingly

#### REQUEST

**SEN. HECKAMAN REQUESTED** that the Senate divide Reengrossed SB 2162, which request was granted.

**DIVISION A:** Sections 1, 2, 3, and 5

**DIVISION B:** Section 4

#### ROLL CALL

The question being on the final adoption of Division A of Reengrossed SB 2162, the roll was called and there were 34 YEAS, 12 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Lee, J.; Luick; Meyer; Myrdal; Oehlke; Osland; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wardner

**NAYS:** Anderson; Erbele; Grabinger; Heckaman; Larson, D.; Lee, G.; Marcellais; Mathern; Nelson; Oban; Piepkorn; Wanzek

**ABSENT AND NOT VOTING:** Davison

Division A of Reengrossed SB 2162 was adopted on a recorded roll call vote.

#### ROLL CALL

The question being on the final adoption of Division B of Reengrossed SB 2162, the roll was called and there were 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**NAYS:** Erbele; Luick; Marcellais; Unruh

**ABSENT AND NOT VOTING:** Davison

Division B of Reengrossed SB 2162 was adopted on a recorded roll call vote.

#### ROLL CALL

The question being on the final passage of the amended bill, which includes Division A and Division B, which have been read, the roll was called and there were 35 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Hogue; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Lee, G.; Lee, J.; Luick; Meyer; Myrdal; Oban; Oehlke; Osland; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wardner

**NAYS:** Anderson; Erbele; Grabinger; Heckaman; Larson, D.; Marcellais; Mathern; Nelson; Piepkorn; Wanzek

**ABSENT AND NOT VOTING:** Davison; Holmberg

Reengrossed SB 2162 passed.

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#### SECOND READING OF SENATE BILL

**SB 2199:** A BILL for an Act to create and enact chapter 37-17.5 of the North Dakota Century Code, relating to facilitating entry of an out-of-state business to perform disaster or emergency remediation work in this state on critical natural gas, electrical, and telecommunication transmission infrastructure and to provide a limited exemption for that purpose from state and local taxes and fees, licensing, and other requirements during the time in this state employed in disaster or emergency remediation work.

#### 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa;

Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison; Holmberg

Engrossed SB 2199 passed.

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#### SECOND READING OF SENATE BILL

**SB 2264:** A BILL for an Act to amend and reenact subsection 2 of section 23-01-05.5 of the North Dakota Century Code, relating to providing notification of the report of death to the next of kin of the deceased.

#### 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison; Holmberg

Engrossed SB 2264 passed.

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#### SECOND READING OF SENATE BILL

**SB 2202:** A BILL for an Act to amend and reenact section 43-48-03 and subsection 2 of section 43-48-05 of the North Dakota Century Code, relating to clinical laboratory practice exemptions and board membership.

#### 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison; Holmberg

Engrossed SB 2202 passed.

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#### SECOND READING OF SENATE BILL

**SB 2231:** A BILL for an Act to create and enact three new sections to chapter 26.1-47 of the North Dakota Century Code, relating to preferred provider arrangement requirements for insurance prior authorization for air ambulance services; to amend and reenact section 26.1-47-01, subsection 6 of section 26.1-47-02, and section 26.1-47-07 of the North Dakota Century Code, relating to preferred provider organizations; to provide an effective date; and to provide a contingent 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 40 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Kannianen; Klein; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Armstrong; Bekkedahl; Hogue; Kilzer; Krebsbach

**ABSENT AND NOT VOTING:** Davison; Holmberg

Engrossed SB 2231 passed.

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### SECOND READING OF SENATE BILL

**SB 2325:** A BILL for an Act to create and enact a new subsection to section 54-07-01 of the North Dakota Century Code, relating to collaboration between agencies to coordinate early intervention services; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Davison; Holmberg

Engrossed SB 2325 passed.

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### MOTION

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, February 10, 2017, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**SB 2149: Judiciary Committee (Sen. Armstrong, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2149 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subsection to section 12.1-32-09.1 of the North Dakota Century Code, relating to the penalty for a class A misdemeanor; to"

Page 1, line 1, after the comma insert "subsection 5 of section 12.1-32-01,"

Page 1, line 14, replace "ten" with "five"

Page 1, after line 14, insert:

**"SECTION 2. AMENDMENT.** Subsection 5 of section 12.1-32-01 of the North Dakota Century Code is amended and reenacted as follows:

5. Class A misdemeanor, for which a maximum penalty of ~~one year's~~ imprisonment for three hundred sixty days, a fine of three thousand dollars, or both, may be imposed."

Page 1, after line 20, insert:

**"SECTION 4.** A new subsection to section 12.1-32-09.1 of the North Dakota Century Code is created and enacted as follows:

An offender who is convicted of a class C felony in violation of section 12.1-17-02, or an attempt to commit the offense, and who has received a sentence of imprisonment or a sentence of imprisonment upon revocation of probation before August 1, 2015, is eligible to have the offender's sentence considered by the parole board."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2186: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2186 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first "to" insert "the creation of"

Page 1, line 2, replace "pilot" with "education"

Page 1, line 2, remove "to improve student educational"

Page 1, line 3, replace "performance" with "; and to amend and reenact section 15.1-06-08.1 of the North Dakota Century Code, relating to statutory waivers"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Section 15.1-06-08.1 of the North Dakota Century Code is amended and reenacted as follows:

#### **15.1-06-08.1. Statutes - Waiver.**

1. ~~The superintendent of public instruction may not waive any statute, in whole or in part, except as provided for in this section.~~
2. A school or school district may apply to the superintendent of public instruction for a waiver of section 15.1-21-03, ~~provided if~~ the waiver:
  - a. Encourages innovation; and
  - b. Has the potential to result in improved educational opportunities or enhanced academic opportunities for the students.
- ~~3-2.~~ The initial waiver must be for a specific period of time but may not exceed one year. The school district may apply for extensions of the waiver. The first extension may not exceed a period of one year. Additional extensions may not exceed periods of two years.
- ~~4-3.~~ If the superintendent of public instruction, after receipt and consideration of an application for a waiver under this section, approves the waiver, the superintendent shall file a report with the legislative council. The report must provide a detailed account of the reasons for which the waiver was granted and the specific time period for the waiver. If the superintendent of public instruction denies an application for a waiver under this section, the superintendent shall file a notice of denial with the legislative council. If requested, the superintendent shall appear and respond to questions regarding the approval or denial of any application for a waiver under this section.

- 5-4. The superintendent of public instruction shall adopt rules governing the submission and evaluation of applications and the monitoring of any school or school district that receives a waiver under this section."

Page 1, line 7, replace "**learning**" with "**education program**"

Page 1, line 7, replace "**Pilot program**" with "**Participation - Reports to legislative management**"

Page 1, line 8, after "1." insert "The superintendent of public instruction shall adopt rules to administer this section and develop criteria for the submission, approval, and evaluation of the proposals and plans under this section.

2."

Page 1, line 8, replace "approve an application" with "accept a proposal"

Page 1, line 9, remove "for a one-year pilot program to improve student educational"

Page 1, replace lines 10 through 12 with ". upon approval by the local school board or governing board, for participation in an innovative education program. The proposal must specify the innovations to be pursued at the school or school district level and the manner in which the proposal will:

- a. Improve the delivery of education;
- b. Improve the administration of education;
- c. Provide increased educational opportunities for students; or
- d. Improve the academic success of students."

Page 1, line 13, replace "2." with "3."

Page 1, line 13, replace "Following" with "The superintendent of public instruction may approve the proposal, reject the proposal, or work with the submitting school to modify the proposal.

4. During"

Page 1, line, 13, after the first "the" insert "school's"

Page 1, line 13, replace "approval of a program and before the end of the one-year pilot" with "year of participation in the innovative education"

Page 1, line 14, replace "may submit" with "shall develop"

Page 1, line 14, replace "to" with "and work with"

Page 1, line 15, after the first "instruction" insert "to ensure the long-term viability of the proposal"

Page 1, line 15, after the underscored period insert:

5."

Page 1, line 15, remove "shall"

Page 1, line 16, remove "assist the school in creating a long-term sustainability plan for the program and"

Page 1, line 17, after the first "the" insert "comprehensive implementation"

Page 1, line 17, replace "to continue the program" with "developed under subsection 4"

Page 1, line 17, after "for" insert "a period of"

Page 1, remove lines 18 through 24

Page 2, replace lines 1 through 6 with "If, due to a change in circumstances, there is a determination by either the school or the superintendent of public instruction that modifications to the comprehensive implementation plan are necessary, the school and the superintendent of public instruction shall work with each other to achieve the necessary modifications.

6. Beginning in the initial year of the implementation of the program, the superintendent of public instruction may provide the school with a waiver of any state statute or rule or provide authorization necessary for implementation of the plan.
7. The superintendent of public instruction may revoke any waiver or authorization granted under this section if the superintendent of public instruction determines the school has failed to perform in accordance with the agreed upon terms of the program or failed to meet the requirements of this section.
8. Any school participating in the program shall provide program evaluation data to the superintendent of public instruction at the time and in the manner requested by the superintendent of public instruction.
9. The superintendent of public instruction shall provide periodic reports to the legislative management regarding the innovative education program."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2245: Agriculture Committee (Sen. Luick, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2245 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "national" with "natural"

Page 1, line 9, after "service" insert "and United States army corps of engineers"

Page 1, line 11, after "lands" insert ", and on lands remediated by the department of mineral resources through the abandoned oil and gas well plugging and site reclamation fund"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2255: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)** recommends **DO PASS** (3 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2255 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2261: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2261 was placed on the Sixth order on the calendar.

Page 1, line 3, after "districts" insert "; and to declare an emergency"

Page 1, line 13, overstrike "at a site within"

Page 1, line 14, overstrike "the"

Page 1, line 15, remove the first "district"

Page 3, line 20, overstrike "In" and insert immediately thereafter "If a legislative district chooses to organize by precinct in"

Page 4, after line 14, insert:

"**SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2285: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2285 was placed on the Sixth order on the calendar.

Page 1, remove lines 7 through 12

Page 1, line 8, replace "any part of the building" with "Authorization by either the legislative assembly or the budget section of the legislative management if the legislative assembly is not in session, is required before the acceptance of gifts, grants, donations, or bequests offered in exchange for naming rights to any state-owned building that has been funded all or in part by state general fund appropriations greater than five million dollars. This section does not apply to naming rights for individual rooms or gathering spaces"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2297: Agriculture Committee (Sen. Luick, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2297 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2299: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2299 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2306: Judiciary Committee (Sen. Armstrong, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2306 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2307: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2307 was placed on the Sixth order on the calendar.

Page 1, line 11, overstrike the first "at a"

Page 1, line 11, after "state-licensed" insert "in"

Page 1, line 11, overstrike "home" and insert immediately thereafter "care"

Page 1, line 14, overstrike "at a"

Page 1, line 14, after "state-licensed" insert "in"

Page 1, line 15, overstrike the first "home" and insert immediately thereafter "care"

Page 1, line 17, overstrike the first "at a"

Page 1, line 17, after "state-licensed" insert "in"

Page 1, line 17, overstrike "home" and insert immediately thereafter "care"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2321: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (4 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2321 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2329: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2329 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "as"

Page 1, line 11, remove "qualified."

Page 1, line 12, after "States" insert "as having met any related experience requirements"

Renumber accordingly

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

**Shanda Morgan, Secretary**