

## JOURNAL OF THE SENATE

## Sixty-sixth Legislative Assembly

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Bismarck, February 12, 2019

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

The prayer was offered by Rev. Amanda Oster, People's Church, Steele.

The roll was called and all members were present except Senators Myrdal and Unruh.

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-fifth and Twenty-sixth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 452, Line 42, after "final passage of the" insert the word "amended"

Page 504, Line 5, replace "458" with "458-459"

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

## MOTION

**SEN. KLEIN MOVED** that a committee of two be appointed to escort Miss North Dakota 2018, Katie Olson, to the podium, which motion prevailed.

**PRESIDENT SANFORD APPOINTED** Senators Meyer and Bekkedahl to the escort committee.

REMARKS OF KATIE OLSON, MISS NORTH DAKOTA 2018  
FEBRUARY 12, 2019

Good Afternoon, my name is Katie Olson and I am Miss North Dakota 2018. I am honored to be speaking to you all today, as this is a very special and notable tradition for Miss North Dakota. I am also very proud to be standing in a room where many important decisions that shaped my childhood have been made. I grew up in Williston, North Dakota and I am very proud of that fact. Not only has Williston overcome many challenges and obstacles in the past years, but it also introduced me to my current job. This year will mark the thirty-third year of the Miss North Dakota competition being held in Williston, ND, and being able to grow up watching and volunteering with this organization has changed my life.

Not only has this organization granted me my dream job, but it has also allowed me to make valuable career connections, go to college debt free, and to serve my state wholeheartedly. On June 9th, 2018 I was blessed to be chosen Miss North Dakota out of a group of twenty women. The first and most common question I get as Miss North Dakota is "what do you do?" At first glance, it may appear as though my job is strictly appearance-based, and although I do take pride in my crown and sash, there is much more to my job beyond the glitter. As a national nonprofit, the Miss America Organization partners with the Children's Miracle Network, giving local, state, and national titleholders the honor of raising money for and volunteering with this organization. As Miss North Dakota I do many fundraising events for the Children's Miracle Network, and visits to children's hospitals that partner with this group. There is no bigger an honor than being able to help put a smile on a child's face when they are facing hospitalization. I am very grateful for these visits, and I hope to do more before my year is up.

As Miss North Dakota the largest part of my job is to embark on a statewide school tour informing children K12 of my message "The Motivation Mindset: Positivity at Every Turn." So far I have spoken to thousands of students at almost fifty schools with the goal of teaching kids about their mindsets when things may not go our way in life. Having a positive mindset

and finding motivation when I was faced with obstacles was a journey I struggled with greatly growing up. But, as I've learned and grown within my journey I have learned that there is no greater skill than to understand our own mindset. In my presentations, I teach students how to recognize when their mindset needs improvement and how with different techniques, tools, and strategies they can change their viewpoint on life. We also discuss goals and the hard work, difficulties, and failures we might encounter on our journeys. When I ask young children about what they want to be when they grow up all hands shoot into the air and the answers are always boundless. I've gotten responses from children wanting to be teachers or race car drivers and artists. But I've noticed the older the students I'm speaking to get the fewer the hands to go up, and the options become more limited. As a future educator teaching students about their value and endless potential in life has always been a goal of mine and as Miss North Dakota my biggest goal is that each person I speak to knows that they can do anything that they set their mind to, so that they never limit themselves when they answer the question of "What do you want to be when you grow up?"

I also bring these messages of positivity and motivation to businesses. I truly believe that each day of our lives may not be great, but there are great things each day. So before I leave today I have a mission to bring this message to all of you as well. Each of you does amazing things for our state; but, your job can be difficult, frustrating, and overwhelming at times. I ask that all of you in your moments of indignation find three things you are grateful for. This is one of five skills I teach students to find moments of positivity in their busy days. Taking a break to think of things that make us happy or what we are grateful for in moments of turmoil, lessens the negative feelings we experience at times. I also ask that each of you not only find gratitude for your situations and surroundings but for each other as well. Each of you took your positions to make North Dakota a better state to live in, and I'm sure all of you send more than enough emails or letters every day. But, I challenge you to send out just one more each day. One letter or email of thanks or praise each morning for someone you work with because the quickest way to build motivation and happiness is to invest in your social relationships. It's quick and easy and not only puts a smile on your face each morning but will also make someone else smile.

I would like to thank you all for what you do for our state, and for welcoming me today. This has been a wonderful afternoon and an honor I will not forget. I sincerely hope each of you finds gratitude in each moment. Being Miss North Dakota has taught me that each moment is fleeting and the only thing we truly hold on to is those memories of gratitude. I only have four months left of this incredible job, and I plan to make the best of each day. Thank you again, and have a wonderful day.

#### **MOTION**

**SEN. KLEIN MOVED** that the remarks of Miss North Dakota 2018, Katie Olson, be printed in the Journal, which motion prevailed.

#### **MOTION**

**SEN. KLEIN MOVED** that after action taken on the Sixth order, Engrossed SB 2146, SB 2270, and SB 2344 be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed.

#### **MOTION**

**SEN. KLEIN MOVED** that SB 2211, which is on the Sixth order, be laid over one legislative day, and that SB 2054, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

#### **MOTION**

**SEN. KLEIN MOVED** In accordance with the request made under Joint Rule 204, the Senate accede to the request to return HB 1275 to the House for the purpose of reconsideration, which motion failed.

#### **MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate does not accede to the House request for the return of: HB 1275.

#### **CONSIDERATION OF AMENDMENTS**

**SB 2146, as engrossed: SEN. BURCKHARD (Appropriations Committee) MOVED** that the amendments on SJ page 524 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 2146:** A BILL for an Act to provide an appropriation to the state historical society for relocating pioneer village.

**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 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Osland; Patten; Piepkorn; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**NAYS:** Poolman

**ABSENT AND NOT VOTING:** Myrdal; Unruh

Engrossed SB 2146 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2006: SEN. WANZEK (Appropriations Committee) MOVED** that the amendments on SJ pages 520-521 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2282: SEN. SORVAAG (Appropriations Committee) MOVED** that the amendments on SJ pages 524-525 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2018: SEN. ERBELE (Appropriations Committee) MOVED** that the amendments on SJ pages 522-524 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2002: SEN. GRABINGER (Appropriations Committee) MOVED** that the amendments on SJ pages 514-518 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2005: SEN. BEKKEDAH (Appropriations Committee) MOVED** that the amendments on SJ pages 518-519 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**SB 2270: SEN. K. ROERS (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 524 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 2270:** A BILL for an Act to amend and reenact sections 18-01-05, 18-01-06, and 18-08-09, subsection 2 of section 18-08-12, and sections 18-09-02, 18-12-16, and 18-12-25 of the North Dakota Century Code, relating to the reporting of fires and fire losses to the state fire marshal, misconduct at fires, fire inspections of state buildings, rules for storage and handling of liquefied petroleum gases, fire alarms in school buildings, and reference data used in the fire prevention code for school buildings; and to repeal section 18-01-08 of the North Dakota Century Code, relating to compensation of fire officials for reporting fires.

**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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Unruh

Engrossed SB 2270 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2344: SEN. J. ROERS (Energy and Natural Resources Committee) MOVED** that the amendments on SJ page 525 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 2344:** A BILL for an Act to create and enact section 47-31-09 of the North Dakota Century Code, relating to injection or migration of substances into pore space; and to amend and reenact sections 38-08-25, 38-11.1-01, and 38-11.1-03 of the North Dakota Century Code, relating to pore space and oil and gas production.

#### 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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Unruh

Engrossed SB 2344 passed.

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#### SECOND READING OF SENATE BILL

**SB 2207:** A BILL for an Act to amend and reenact section 17-06-02 of the North Dakota Century Code, relating to the removal of term limits for members of the North Dakota ethanol council.

#### 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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Unruh

Engrossed SB 2207 passed.

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**SECOND READING OF SENATE BILL**

**SB 2345:** A BILL for an Act to amend and reenact sections 11-33-02.1, 23-25-11, 23.1-06-15, and 58-03-11.1 of the North Dakota Century Code, relating to animal feeding operations and zoning regulations; to provide an effective date; to provide a contingent effective date; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 38 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Meyer; Oehlke; Osland; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**NAYS:** Cook; Grabinger; Heckaman; Hogan; Mathern; Oban; Robinson

**ABSENT AND NOT VOTING:** Myrdal; Unruh

Engrossed SB 2345 passed.

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**SECOND READING OF SENATE BILL**

**SB 2014:** A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy; and to provide a report to the legislative assembly.

**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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Unruh

Engrossed SB 2014 passed.

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**SECOND READING OF SENATE BILL**

**SB 2011:** A BILL for an Act to provide an appropriation for defraying the expenses of the securities department; and to amend and reenact subsection 5 of section 10-04-03 of the North Dakota Century Code, relating to collection of fees, civil penalties, and other moneys collected under the Securities Act.

**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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Osland; Patten; Piepkorn;

Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Unruh

Engrossed SB 2011 passed.

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

**SB 2049:** A BILL for an Act to amend and reenact subsection 2 of section 39-03.1-11 and subsection 2 of section 54-52-17 of the North Dakota Century Code, relating to the computation of final average salary for employees who terminate employment after December 31, 2019.

#### **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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Unruh

Engrossed SB 2049 passed.

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

**SB 2250:** A BILL for an Act to amend and reenact sections 15.1-37-06 and 15.1-37-08 of the North Dakota Century Code, relating to the receipt and distribution of free and reduced lunch grant funds.

#### **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; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Myrdal; Unruh

Engrossed SB 2250 passed.

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

**SB 2205:** A BILL for an Act to create and enact section 32-19-23.1 of the North Dakota Century Code, relating to abandoned property; and to amend and reenact sections 28-23-11, 32-19-18, 32-19-19, 32-19-23, and 32-19-27 of the North Dakota Century Code, relating to foreclosure of real estate.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 2 NAYS,

0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Luick; Marcellais; Mathern; Meyer; Oban; Osland; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner

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

**ABSENT AND NOT VOTING:** Myrdal; Unruh

SB 2205 passed.

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**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2001, SB 2182, SB 2195, SB 2202, SB 2213, SB 2224, SB 2251, SB 2260, SB 2263, SB 2264, SCR 4012.

**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: HB 1045, HB 1073, HB 1123, HB 1142, HB 1240, HB 1248, HB 1333, HB 1337, HB 1468, HB 1469, HB 1477, HB 1513, HB 1524, HB 1545.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1171.

**MOTION**

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

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, February 13, 2019, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2137: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2137 was placed on the Sixth order on the calendar.

Page 1, line 2, after "bars" insert "and lounges"

Page 2, line 6, remove "that generates ten percent or more of the bar's annual gross income from"

Page 2, line 7, replace "the sale of cigars" with "or a cigar lounge, which has a valid certificate issued by the tax department under this subdivision"

Page 2, line 10, after "bar" insert "or cigar lounge"

Page 2, line 11, remove "and any premium tobacco product"

Page 2, line 12, remove "tobacco"

Page 2, line 13, after the underscored period insert:

"(1)"

Page 2, line 13, replace "meeting" with "or cigar lounge asserting the bar or lounge meets"

Page 2, line 14, replace "annually" with "before February first of each year"

Page 2, line 15, after "revenue" insert "from the previous calendar year"

Page 2, line 16, after the underscored period insert "Upon receipt of a report asserting compliance with the annual gross income requirements of this subdivision, the tax department shall issue an annual certificate. The tax department is not required to confirm the accuracy of information reported but may not issue a certificate absent supporting documentation from the bar or lounge. Information reported to the tax department under this subdivision is subject to the confidentiality provisions of section 57-39.2-23."

(2)"

Page 2, line 16, replace ", the term "cigar"" with ":

(a) "Bar" means a bar that generates ten percent or more of the bar's annual gross income from the sale of cigars.

(b) "Cigar"

Page 2, line 17, remove "consisting only of tobacco, measures a"

Page 2, replace line 18 with "of whole leaf tobacco; does not contain filler other than tobacco filler; does not contain binder other than tobacco binder; does not contain additives other than water; does not contain a filter, tip, or nontobacco mouthpiece; weighs at least six pounds per thousand count; and is made by hand, except to allow for the use of a manually operated machine to assist in bunching, rolling, and binding."

(c) "Cigar lounge" means a business dedicated, in whole or in part, to the smoking of cigars which generates thirty percent or more of the business's annual gross income from the sale of cigars."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2149: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2149 was placed on the Sixth order on the calendar.

Page 1, line 7, after "**training**" insert "**and instruction**"

Page 1, line 7, remove the overstrike over "~~to teachers,~~"

Page 1, line 8, remove the overstrike over "~~administrators, and ancillary staff~~"

Page 1, line 8, remove "**and instruction**"

Page 2, line 2, remove "Each school within a district shall employ a counselor trained in the youth behavioral"

Page 2, remove lines 3 through 5

Page 2, line 6, remove "4."

Page 2, line 8, remove the overstrike over "3:"

Page 2, line 8, remove "5."

Page 2, line 8, remove "a minimum of three hours of"

Page 2, line 8, remove "per semester"



Page 2, line 11, after "resources" insert "in the school and the community"

Page 2, line 12, replace "6." with "4."

Page 2, after line 14, insert:

"5. The superintendent of public instruction, in collaboration with the department of human services and the state department of health, shall meet at least annually with a group composed of student representatives from elementary, middle, and high schools in the state to gather information on the youth behavioral health categories listed in subsection 1."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2154: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2154 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "Lay" with "Informal"

Page 1, line 15, replace "old" with "of age"

Page 1, line 16, after "designates" insert "at admission"

Page 1, line 17, replace "aftercare assistance" with "posthospital care"

Page 1, line 19, remove """Patient" means an individual who is or was receiving inpatient medical care in a"

Page 1, line 20 replace "hospital" with """Posthospital care" means care directly related to a patient's condition at the time of discharge and which is provided by an informal caregiver to the patient in the patient's residence"

Page 2, line 1, replace "**Aftercare assistance policies - Designation of lay caregiver**" with "**Patient and caregiver discharge planning, involvement, and documentation**"

Page 2, line 2, replace "evidence-based" with "a written"

Page 2, line 2, after "discharge" insert "planning process, including"

Page 2, line 3, after "procedures" insert ", which applies to all patients"

Page 2, remove lines 4 through 15

Page 2, line 16, remove "A hospital may not give a legal representative who is an agent under a durable power"

Page 2, remove lines 17 through 31

Page 3, replace lines 1 through 11 with:

At an early stage of hospitalization, a hospital shall identify patients who are likely to suffer adverse health consequences if discharged without adequate discharge planning. A hospital shall involve a patient throughout the discharge planning process. As appropriate, a hospital shall involve the patient's informal caregiver or legal representative in the discharge planning process. A hospital shall:

a. Document the patient's discharge plan in the patient's medical record.

- b. Communicate the plan to the patient, the patient's informal caregiver, or the patient's representative.
- c. Document the arrangements made for initial implementation of the patient's discharge plan in the patient's medical record, including any training or materials provided to the patient, the patient's informal caregiver, or the patient's representative."

Page 3, line 12, replace "**Notification of transfer or discharge**" with "**Posthospital care training**"

Page 3, remove lines 13 through 30

Page 4, replace lines 1 through 23 with:

- "1. A hospital shall educate or train a patient, the patient's informal caregiver, or the patient's representative to prepare the patient for posthospital care.
- 2. The education or training provided by hospital staff to a patient, the patient's informal caregiver, or the patient's representative must be tailored to the patient's identified needs, including medications, treatment modalities, physical and occupational therapies, psychosocial needs, appointments, or other posthospital care.
- 3. Education and training provided by a hospital may include repeated review of the training and materials with a patient, the patient's informal caregiver, or the patient's representative."

Renumber accordingly

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

**SB 2199: Education Committee (Sen. Schaible, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2199 was placed on the Eleventh order on the calendar.

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

**SB 2204: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2204 was placed on the Eleventh order on the calendar.

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

**SB 2228: Education Committee (Sen. Schaible, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2228 was placed on the Eleventh order on the calendar.

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

**SB 2229: Education Committee (Sen. Schaible, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2229 was placed on the Eleventh order on the calendar.

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

**SB 2284: 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 2284 was placed on the Sixth order on the calendar.

Page 1, line 23, remove "only"

Page 1, line 23, remove "not"

Page 1, line 23, replace "or" with ", and"

Page 1, line 23, remove ", unless"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2287: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2287 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2294: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2294 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2299: Education Committee (Sen. Schaible, Chairman)** recommends **DO NOT 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 2300, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2300 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2312: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2312 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the first "section" with "sections 57-51.1-02"

Page 1, line 4, remove "and"

Page 1, line 4, replace "an effective date" with "for application; and to declare an emergency"

Page 1, after line 5, insert:

**"SECTION 1. AMENDMENT.** Section 57-51.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**57-51.1-02. Imposition of oil extraction tax.**

There is hereby imposed an excise tax, to be known as the "oil extraction tax", upon the activity in this state of extracting oil from the earth, and every owner, including any royalty owner, of any part of the oil extracted is deemed for the purposes of this chapter to be engaged in the activity of extracting that oil.

The rate of tax is five percent of the gross value at the well of the oil extracted. ~~However, if the average price of a barrel of crude oil exceeds the trigger price of ninety dollars for each month in any consecutive three-month period, then the rate of tax on oil extracted from all taxable wells is six percent of the gross value at the well of the oil extracted until the average price of a barrel of crude oil is less than the trigger price of ninety dollars for each month in any consecutive three-month period, in which case the rate of tax reverts to five percent of the gross value at the well of the oil extracted. By December thirty-first of each year, the tax commissioner shall determine an indexed trigger price under this section by applying to the current trigger price an adjustment equal to the percentage rate of change of the producer price index for industrial commodities as calculated and published by the United States department of labor, bureau of labor statistics, for the twelve months ending June thirtieth of that year and the indexed trigger price so determined is the trigger price for the following calendar year.~~

~~For purposes of this section, "average price" of a barrel of crude oil means the monthly average of the daily closing price for a barrel of west Texas intermediate-cushing crude oil, as those prices appear in the Wall Street Journal, midwest edition.~~

~~When computing the monthly average price, the most recent previous daily closing price must be considered the daily closing price for the days on which the market is closed."~~

Page 2, line 17, replace "**EFFECTIVE DATE**" with "**APPLICATION**"

Page 2, line 17, replace "This" with "Sections 2 and 3 of this"

Page 2, line 17, replace "is" with "are"

Page 2, after line 20, insert:

**"SECTION 5. EMERGENCY.** Sections 2 and 3 of this Act are declared to be an emergency measure."

Renumber accordingly

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

**SB 2317, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2317 was placed on the Eleventh order on the calendar.

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

**SB 2332: Energy and Natural Resources Committee (Sen. Unruh, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2332 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 flaring rates and the flaring of gas."

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

##### **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - FLARING RATES.**

During the 2019-20 interim, the legislative management shall consider studying flaring rates and the flaring of gas. The study must include a comprehensive comparison of flaring rates in all oil and gas-producing states in the United States, flaring rates on federal and tribal lands, and flaring rates in foreign countries producing oil and gas. The study must include an overview and an evaluation of public policies within states, the federal government, tribal nations, and foreign governments aimed at reducing flaring and methane emissions to provide guidance on how the North Dakota industrial commission could improve the 2014 North Dakota Industrial Commission Order 24665 Policy Version 041718, in an effort to capture more gas in the future. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

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

**SB 2359: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2359 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "to provide for a legislative management study of the scope of practice and regulation of electricians."

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

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - REGULATION OF AND SCOPE OF PRACTICE OF ELECTRICIANS.** During the 2019-20 interim, the legislative management shall consider studying the regulation of and scope of practice of electricians. The study must include consideration of scope of practice and regulation as they relate to power limited systems and must include receipt of

information from stakeholders, including trade groups. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

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

**SCR 4002: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4002 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "directing the Legislative Management to consider studying diabetes,"

Page 1, remove line 2

Page 1, line 3, replace "Affordable Care Act" with "urging Congress to address the rising costs and availability of medications and health care for individuals with diabetes and coverage of those costs"

Page 1, line 9, remove "health insurance coverage is important for"

Page 1, line 9, remove "who"

Page 1, line 10, after "medications" insert "and North Dakota is concerned about the increasing costs and availability of medications and health care and coverage for those costs"

Page 1, line 10, remove the second "and"

Page 1, remove lines 11 and 12

Page 1, replace lines 15 and 16 with:

"That the Sixty-sixth Legislative Assembly urges the Congress of the United States to address the rising costs and availability of medications and health care for individuals with diabetes and coverage of those costs;"

Page 1, line 17, remove "Legislative Management report its findings and"

Page 1, replace lines 18 and 19 with "Secretary of State forward copies of this resolution to the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, and each member of the North Dakota Congressional Delegation."

Renumber accordingly

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

**SCR 4010: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4010 was placed on the Eleventh order on the calendar.

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

**Shanda Morgan, Secretary**

