

## JOURNAL OF THE SENATE

## Sixty-sixth Legislative Assembly

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Bismarck, March 18, 2019

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

The prayer was offered by Chaplain Les Wolfgram, Crisis Care Chaplaincy, Bismarck.

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

A quorum was declared by the President.

**POINT OF PERSONAL PRIVILEGE**

**SEN. MYRDAL** rose on a point of personal privilege.

**REMARKS OF SENATOR MYRDAL**

**MR. PRESIDENT:** Due to absence of the Senator from District 20, I felt compelled to speak somewhat on his behalf. Also, due to the fact that I live in a district that plays high school sports mostly in Region 2.

Mr. President, there is a new TITLE Town! It now belongs to a town in Region 2 and that town is Thompson.

This past weekend, Mr. President, we were entertained by an exciting, talented, and very competitive weekend of games in the Class B Boys' High School Basketball Championships. In the end, two teams rose to the top.

Thompson and Shiloh Christian played the final game for the championship, and it was an extremely competitive match. At the end of four quarters it was a tied game, 45-45. With grit and determination, the Thompson Tommies prevailed and won their first ever Class B Boys' Basketball Championship. Final score was 57-47.

However, the claim to Title Town, Mr. President, has not only been claimed through this weekend's great victory, but also through having earned, prior to this, state titles in football, baseball and this year's volleyball title. And I believe the Girls' Basketball team also made it to the state championship playoffs this year.

So, hats off to the Thompson Tommies, Mr. President, for being the real new Title Town!

**REQUEST**

**SEN. KLEIN REQUESTED** that the remarks of Sen. Myrdal be printed in the Journal, which request was granted.

**MOTION**

**SEN. KLEIN MOVED** that HB 1131 be returned to the Senate floor from the **Appropriations Committee**, which motion prevailed.

**MOTION**

**SEN. KLEIN MOVED** that HB 1359, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

**MOTION**

**SEN. KLEIN MOVED** that after action taken on the Sixth order, HB 1058 be placed on the Fourteenth order for second reading and final passage, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1045, as engrossed: SEN. BURCKHARD (Appropriations Committee) MOVED** that the amendments on SJ pages 946-947 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1471: SEN. KANNIANEN (Political Subdivisions Committee) MOVED** that the amendments on SJ pages 949-950 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1275, as engrossed: SEN. K. ROERS (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 949 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1058: SEN. PATTEN (Transportation Committee) MOVED** that the amendments on SJ page 947 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1058:** A BILL for an Act to amend and reenact section 39-06.1-08 of the North Dakota Century Code, relating to nonmoving violations; and to repeal section 39-10-51 of the North Dakota Century Code, relating to unattended motor vehicles.

**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; 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; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

HB 1058, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1179:** A BILL for an Act to amend and reenact subsection 4 of section 39-06.1-10 and section 39-06.1-11 of the North Dakota Century Code, relating to the issuance of temporary restricted licenses to operators participating in the twenty-four seven sobriety program.

**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; 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; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

Engrossed HB 1179, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1126:** A BILL for an Act to amend and reenact section 23-09.3-08.1 of the North Dakota Century Code, relating to basic care facility end-of-life services.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

Engrossed HB 1126, as amended, passed.

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**SECOND READING OF HOUSE BILL**

**HB 1223:** A BILL for an Act to create and enact a new subsection to section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol to exercise general police powers; and to amend and reenact subsections 12 and 16 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol.

**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 45 YEAS, 1 NAYS, 0 EXCUSED, 1 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; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Larsen, O.

**ABSENT AND NOT VOTING:** Osland

HB 1223 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1227:** A BILL for an Act to create and enact section 47-16-02.2 of the North Dakota Century Code, relating to prohibiting residential rental licensure fees.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 34 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Cook; Dever; Holmberg; Larson, D.; Meyer; Myrdal; Roers, J.; Roers, K.; Sorvaag; Unruh; Vedaa; Wanzek

**NAYS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Davison; Dotzenrod; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Rust; Schaible; Wardner

**ABSENT AND NOT VOTING:** Osland

HB 1227 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1224:** A BILL for an Act to amend and reenact section 11-35-02 of the North Dakota Century Code, relating to zoning of territory adjacent to cities.

**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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

HB 1224 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1065:** A BILL for an Act to amend and reenact subsection 1 of section 39-08-09 of the North Dakota Century Code, relating to the immediate notice of a vehicle accident.

**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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

Engrossed HB 1065 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1225:** A BILL for an Act to provide for a study of future energy innovation; and to provide for a report to the legislative management.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 39 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bekkedahl; Dotzenrod; Hogan; Larsen, O.; Luick; Mathern; Robinson

**NAYS:** Anderson; Bakke; Burckhard; Clemens; Cook; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larson, D.; Lee, G.; Lee, J.; Marcellais; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

Engrossed HB 1225 failed.

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### SECOND READING OF HOUSE BILL

**HB 1193:** A BILL for an Act to create and enact a new section to chapter 34-06 of the North Dakota Century Code, relating to a living wage mandate prohibition for political subdivisions; and to provide for application.

#### 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 35 YEAS, 11 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Bakke; Dotzenrod; Grabinger; Heckaman; Hogan; Luick; Marcellais; Mathern; Oban; Piepkorn; Robinson

**ABSENT AND NOT VOTING:** Osland

HB 1193 passed.

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### SECOND READING OF HOUSE BILL

**HB 1539:** A BILL for an Act to amend and reenact section 39-05-17 of the North Dakota Century Code, relating to delivery of a certificate of title; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 35 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bekkedahl; Dever; Elkin; Kannianen; Larsen, O.; Larson, D.; Meyer; Myrdal; Patten; Vedaa; Wanzek

**NAYS:** Anderson; Bakke; Burckhard; Clemens; Cook; Davison; Dotzenrod; Dwyer; Erbele; Fors; Grabinger; Heckaman; Hogan; Hogue; Holmberg; Klein; Krebsbach; Kreun; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Oban; Oehlke; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Wardner

**ABSENT AND NOT VOTING:** Osland

HB 1539 failed.

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### SECOND READING OF HOUSE BILL

**HB 1141:** A BILL for an Act to amend and reenact section 54-44.3-20 of the North Dakota Century Code, relating to exceptions to classified service.

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

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

Wardner

**NAYS:** Grabinger

**ABSENT AND NOT VOTING:** Osland

HB 1141 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1470:** A BILL for an Act to amend and reenact sections 54-52.4-02, 54-52.4-03, and 54-52.4-04 of the North Dakota Century Code, relating to family leave for state employees; and to provide for a legislative management study of state employee leave policies.

**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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

Engrossed HB 1470 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1209:** A BILL for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of dogs in the recovery of big game.

**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 33 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Dotzenrod; Grabinger; Heckaman; Hogan; Hogue; Kannianen; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Rust; Schaible; Sorvaag; Unruh; Wardner

**NAYS:** Davison; Dever; Dwyer; Elkin; Erbele; Fors; Holmberg; Klein; Lee, J.; Luick; Roers, K.; Vedaa; Wanzek

**ABSENT AND NOT VOTING:** Osland

HB 1209 passed.

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**SECOND READING OF HOUSE BILL**

**HB 1129:** A BILL for an Act to amend and reenact section 37-18-04 of the North Dakota Century Code, relating to duties of the commissioner of veterans' affairs.

**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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

HB 1129 passed.

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### SECOND READING OF HOUSE BILL

**HB 1480:** A BILL for an Act to provide for a legislative management study on the capturing of gas and the long-term benefits of capturing gas on the state's revenue stream.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bakke; Dotzenrod; Dwyer; Grabinger; Heckaman; Hogan; Marcellais; Mathern; Oban; Piepkorn; Robinson; Rust; Wardner

**NAYS:** Anderson; Bekkedahl; Burckhard; Clemens; Cook; Davison; Dever; Elkin; Erbele; Fors; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Meyer; Myrdal; Oehlke; Patten; Poolman; Roers, J.; Roers, K.; Schaible; Sorvaag; Unruh; Vedaa; Wanzek

**ABSENT AND NOT VOTING:** Osland

Reengrossed HB 1480 failed.

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### SECOND READING OF HOUSE BILL

**HB 1143:** A BILL for an Act to create and enact a new section to chapter 39-21 of the North Dakota Century Code, relating to prohibiting the manufacturing, sale, and installation of a counterfeit supplemental restraint system component and nonfunctional airbag; and to provide a penalty.

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

**YEAS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Cook; Davison; 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; Myrdal; Oban; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Dever; Oehlke

**ABSENT AND NOT VOTING:** Osland

HB 1143 passed.

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### SECOND READING OF HOUSE BILL

**HB 1263:** A BILL for an Act to create and enact a new subsection to section 39-26-07 of the North Dakota Century Code, relating to right of an owner to reclaim an abandoned vehicle; to amend and reenact sections 23.1-15-01, 23.1-15-03, 23.1-15-05,

23.1-15-06, 23.1-15-07, 39-26-02, and 39-26-06 of the North Dakota Century Code, relating to custody and disposition of abandoned motor vehicles; to provide a penalty; and to declare an emergency.

#### 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 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; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

Engrossed HB 1263 passed and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1079:** A BILL for an Act to amend and reenact section 54-12-08 of the North Dakota Century Code, relating to special assistant attorneys general.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 44 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Cook

**NAYS:** Bakke; Bekkedahl; Burckhard; Clemens; 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; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Robinson; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Osland

Engrossed HB 1079 failed.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3042:** A concurrent resolution thanking the Engelstad family for their generosity on behalf of all North Dakotans.

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

Engrossed HCR 3042 was declared adopted on a voice vote.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1055, HB 1102, HB 1108, HB 1265, HB 1298, HB 1336, HB 1392.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2053, SB 2059, SB 2071, SB 2105, SB 2144, SB 2164, SB 2187, SB 2202, SB 2207, SB 2218, SB 2236, SB 2255, SB 2289.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2099.

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

**MR. PRESIDENT:** The House has passed, the emergency clause failed, unchanged: SB 2052.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2121, SB 2176, SB 2232, SB 2247.

**HOUSE AMENDMENTS TO SENATE BILL NO. 2121**

Page 2, line 11, replace "commercial" with "noncommercial"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2176**

Page 1, line 2, after the first semicolon insert "and"

Page 1, line 2, remove "; and to declare"

Page 1, line 3, remove "an emergency"

Page 1, line 12, after the period insert "The pilot program is contingent on the favorable recommendation of legislative management and completion of the study in section 2."

Page 1, line 14, replace "study" with " consider studying"

Page 2, remove line 3

Renumber accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2232**

Page 1, after line 7 insert "1."

Page 2, after line 3, insert:

"2. A vote that occurred pursuant to subsection 1 before a city public recreation system and a park district merged pursuant to subsection 2 of section 57-15-12 is no longer valid to authorize levying mills for a city public recreation system."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2247**

Page 1, line 13, overstrike "and" and insert immediately thereafter ". clients, the"

Page 1, line 13, overstrike the second "representatives" and insert immediately thereafter ". and the North Dakota protection and advocacy project"

Renumber accordingly

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2064, SB 2103, SB 2295, SB 2296.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1066, HB 1105, HB 1135, HB 1172, HB 1284, HB 1291, HB 1425, HB 1465, HCR 3009, HCR 3014, HCR 3029.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The Speaker has signed: SB 2064, SB 2103, SB 2295, SB 2296.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2064, SB 2103, SB 2295, SB 2296.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1066, HB 1105, HB 1135, HB 1172, HB 1284, HB 1291, HB 1425, HB 1465, HCR 3009, HCR 3014, HCR 3029.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 18, 2019: SB 2067, SB 2096, SB 2147, SB 2151, SB 2157, SB 2171, SB 2194, SB 2205, SB 2225, SB 2244, SB 2262, SB 2326.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 18, 2019: SB 2064, SB 2103, SB 2295, SB 2296.

**MOTION**

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

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, March 19, 2019, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1029, as reengrossed: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1029 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1040, as engrossed: 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, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1040 was placed on the Sixth order on the calendar.

Page 1, line 4, after the first semicolon insert "and"

Page 1, line 4, remove "; and to provide an expiration date"

Page 2, line 20, replace "five hundred thousand" with "two million"

Page 4, line 10, remove "(effective for the first two taxable years beginning after December 31, 2018)"

Page 4, line 11, remove "- **EXPIRATION DATE**"

Page 4, line 11, remove "the first two"

Page 4, line 12, remove ", and is ineffective after that date"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1053: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1053 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1077: Energy and Natural Resources Committee (Sen. Unruh, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).

HB 1077 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1097: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1097 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1174: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1174 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1200: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1200 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1210, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1210 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1271: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1271 was placed on the Sixth order on the calendar.

Page 2, after line 9, insert:

"5. An auditor's certificate of transfer under section 11-18-02 and a statement of full consideration under section 11-18-02.2 are not required to record a transfer on death deed or a revocation instrument."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1407, as engrossed: Transportation Committee (Sen. Rust, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1407 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 39-05-17 and"

Page 1, line 2, after "the" insert "delivery and"

Page 1, line 2, after "title" insert "; and to provide a penalty"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Section 39-05-17 of the North Dakota Century Code is amended and reenacted as follows:

**39-05-17. Transfer of title of vehicle - Endorsement required - Certificate of title delivered - New certificate obtained - Penalty.**

1. The owner or transferor of a motor vehicle who transfers title to a vehicle shall endorse an assignment and warranty of title upon the certificate of title for the vehicle. The owner or transferor shall include on the assignment and warranty of title the name of the transferee and the selling price of the vehicle if applicable.
2. If legal title passes to the transferee, the owner shall deliver the endorsed certificate of title to the transferee within ~~fifteen~~thirty days.

3. If legal title passes to a lienholder rather than the transferee, the transferee shall endorse a statement that the lienholder holds the lien and shall send the certificate of title to the department with an application for a new certificate of title showing the names of the new owner and lienholder. The certificate of title when issued must be sent by the department to the lienholder or the department may use an electronic lien notification procedure in lieu of sending a certificate of title to a lienholder.
4. Within thirty days, the transferee shall deliver the endorsed certificate of title to the department with a transfer fee of five dollars, and shall make an application for a new certificate of title. In addition to any other penalty, the registration to a motor vehicle may be suspended or revoked if the transferee fails to present the endorsed certificate of title to the department for transfer and make application for a new certificate of title within thirty days. The department shall deliver the new certificate of title to the lienholder with priority. If there is no lienholder, delivery must be made to the owner.
5. A violation of this section by an owner, lienholder, or transferee is a class B misdemeanor."

Page 1, line 13, overstrike "Satisfactory" and insert immediately thereafter "Except as otherwise provided by this subsection, satisfactory"

Page 1, line 14, remove ", that the"

Page 1, remove lines 15 and 16

Page 1, line 17, remove "known lienholder to obtain the certificate of title"

Page 1, after line 17, insert:

- a. If the transferee is an insurer that has paid a total loss claim on a vehicle but the payment has not satisfied all liens of record on the vehicle, the transferee is not required to comply with the procedures outlined in title 35 to establish satisfactory proof of ownership and the department may cancel the old certificate of title and issue a new certificate to the insurer free and clear of all liens and claims of ownership.
- b. If the transferee is a tax exempt organization under section 501(c)(3) of the Internal Revenue Code [26 U.S.C. 501(c)(3)] to which a vehicle has been donated, the transferee shall provide an affidavit providing proof the vehicle was donated.
- c. If the transferee is a licensed motor vehicle dealer that, at the request of an insurer, took possession of a vehicle that is the subject of an insurance claim but for which a total loss claim is not paid by the insurer and the vehicle has been in the possession of the dealer for more than thirty days, the necessary satisfactory proof of ownership includes only proof the dealer made at least two written attempts by certified mail with return receipt addressed to the owner of record and any known lienholder to have the vehicle removed from the dealer's facility, upon payment of applicable charges. If satisfactory proof of ownership is established, the department may cancel the old certificate of title and issue a new certificate to the licensed motor vehicle dealer free and clear of all liens and claims of ownership."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1462, as engrossed: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).**

Engrossed HB 1462 was placed on the Sixth order on the calendar.

Page 4, line 15, remove "antlered"

Page 4, line 23, replace "A" with "If a"

Page 4, line 23, after "youth" insert "is"

Page 4, line 23, after "hunting" insert "on private land with written permission from the landowner and"

Page 4, line 23, after "section" insert ", the qualified youth"

Page 4, line 24, after "legal" insert "in any season"

Page 4, line 24, remove ". However, a"

Page 4, remove line 25

Page 4, line 26, remove "subsection on private land with the written permission from the landowner"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1478: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1478 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1516: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1516 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**HCR 3011: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3011 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HCR 3015, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HCR 3015 was placed on the Fourteenth order on the calendar.

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

**Shanda Morgan, Secretary**

