

## JOURNAL OF THE HOUSE

## Sixty-fourth Legislative Assembly

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Bismarck, March 30, 2015

The House convened at 1:00 p.m., with Speaker Belter presiding.

The prayer was offered by Pastor Bruce Peterson, Our Redeemer's Lutheran Church, New England.

The roll was called and all members were present except Representative Frantsvog.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Fifty-sixth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1191, line 19, replace "Engrossed SB 2015" with "Engrossed SB 2105"

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed.

**COMMUNICATION FROM GOVERNOR JACK DALRYMPLE**

This is to inform you that on March 27, 2015, I have signed the following: HB 1245, HB 1251, HB 1310, and HB 1312.

**SIXTH ORDER OF BUSINESS**

**SPEAKER BELTER DEEMED** approval of the amendments to SB 2164, Engrossed SB 2226, Reengrossed SB 2343, SCR 4006, and Engrossed SCR 4019.

SB 2164, Engrossed SB 2226, Reengrossed SB 2343, SCR 4006, and Engrossed SCR 4019, as amended, were placed on the bottom of the Fourteenth order of business on today's calendar.

**SECOND READING OF SENATE BILL**

**SB 2161:** A BILL for an Act to create and enact a new chapter to title 27 of the North Dakota Century Code, relating to the establishment of an interdisciplinary committee on problem-solving courts.

**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 87 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Carlson; Damschen; Delmore; Devlin; Dockter; Dosch; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Sanford; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Brandenburg; Delzer; Froseth; Ruby; Schatz; Skarphol

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed SB 2161, as amended, passed.

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### SECOND READING OF SENATE BILL

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

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed SB 2266, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2077:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks for game and fish department volunteers and final applicants.

### 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 89 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Becker, Rick C.; Bellew; Rohr; Ruby

**ABSENT AND NOT VOTING:** Frantsvog

SB 2077 passed.

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### SECOND READING OF SENATE BILL

**SB 2086:** A BILL for an Act to create and enact sections 43-15.3-13 and 43-15.3-14 of the

North Dakota Century Code, relating to drugs provided by outsourcing facilities and third-party logistics providers; to amend and reenact sections 43-15.3-01, 43-15.3-11, and 43-15.3-12 of the North Dakota Century Code, relating to the wholesale drug distribution and third-party logistic providers.

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

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

**ABSENT AND NOT VOTING:** Frantsvog

SB 2086 passed.

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#### SECOND READING OF SENATE BILL

**SB 2175:** A BILL for an Act to amend and reenact sections 4-05.1-20 and 57-43.1-03.1 of the North Dakota Century Code, relating to the agricultural research fund, the creation of the supplemental extension and research fund, and the transfer of revenue from fuel tax refunds; 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 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Olson; Onstad; Oversen; Owens; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Boe; Nelson, M.; Paur

**ABSENT AND NOT VOTING:** Frantsvog

Reengrossed SB 2175, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2292:** A BILL for an Act to amend and reenact subsection 5 of section 57-38-04 and sections 57-38.1-09, 57-59-01, 57-59-05, 57-59-06, and 57-59-08 of the North Dakota Century Code, relating to apportionment of business income and the multistate tax compact; to repeal section 57-59-02 of the North Dakota Century

Code, relating to the optional computation provision of the multistate tax compact; 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 75 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Hatlestad; Hawken; Headland; Hofstad; Holman; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Meier; Mitskog; Monson; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schmidt; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Weisz; Zubke; Speaker Belter

**NAYS:** Amerman; Boschee; Glassheim; Guggisberg; Haak; Hanson; Hogan; Hunskor; Kelsh; Maragos; Martinson; Mock; Mooney; Muscha; Oversen; Schatz; Schneider; Wallman

**ABSENT AND NOT VOTING:** Frantsvog

Reengrossed SB 2292, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2231:** A BILL for an Act to amend and reenact section 26.1-08-06 of the North Dakota Century Code, relating to the comprehensive health association; comprehensive health association of North Dakota notification of policy holders; 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 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Bellew; Boe; Boehning; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigesaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Brabandt; Koppelman, B.; Ruby

**ABSENT AND NOT VOTING:** Frantsvog

SB 2231, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2334:** A BILL for an Act to create and enact sections 25-17-02.1 and 25-17-07 of the North Dakota Century Code, relating to the state's newborn screening program; to amend and reenact sections 23-01-03.1, 25-17-00.1, 25-17-01, 25-17-03, 25-17-05, and 25-17-06 of the North Dakota Century Code, relating to the state's newborn

screening program; and to repeal section 25-17-04 of the North Dakota Century Code, relating to the state's newborn screening 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 67 YEAS, 26 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boe; Boschee; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dockter; Fehr; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Karls; Keiser; Kelsh; Kempenich; Kiefert; Klemin; Kreidt; Kretschmar; Laning; Larson; Looyesen; Maragos; Martinson; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Onstad; Oversen; Owens; Pollert; Porter; Sanford; Schneider; Schreiber Beck; Seibel; Silbernagel; Strinden; Sukut; Toman; Trottier; Vigasaa; Wallman; Weisz; Zubke; Speaker Belter

**NAYS:** Becker, Rick C.; Bellew; Boehning; Brabandt; Delzer; Dosch; Froseth; Johnson, M.; Kading; Kasper; Klein; Koppelman, B.; Koppelman, K.; Lefor; Louser; Meier; Olson; Paur; Rohr; Ruby; Schatz; Schmidt; Skarphol; Steiner; Streyle; Thoreson

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed SB 2334, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2072:** A BILL for an Act to amend and reenact subsection 7 of section 50-25.2-01 and sections 50-25.2-03 and 50-25.2-05 of the North Dakota Century Code, relating to the definition of financial exploitation, allegation of abuse or neglect caused by an individual in the custody of law enforcement against another individual in custody, and access to records of an alleged vulnerable adult.

#### 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 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Bellew; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dockter; Dosch; Fehr; Froseth; Glassheim; Guggisberg; Haak; Hanson; Hatlestad; Hawken; Headland; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, M.; Kading; Karls; Kasper; Keiser; Kelsh; Kempenich; Kiefert; Klein; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Kretschmar; Laning; Larson; Lefor; Looyesen; Louser; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Mooney; Muscha; Nathe; Nelson, J.; Nelson, M.; Olson; Onstad; Oversen; Owens; Paur; Pollert; Porter; Rohr; Ruby; Sanford; Schatz; Schmidt; Schneider; Schreiber Beck; Seibel; Silbernagel; Skarphol; Steiner; Streyle; Strinden; Sukut; Thoreson; Toman; Trottier; Vigasaa; Weisz; Zubke; Speaker Belter

**NAYS:** Amerman; Becker, Rick C.; Wallman

**ABSENT AND NOT VOTING:** Frantsvog

Engrossed SB 2072, as amended, passed.

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#### MOTION

**REP. VIGESAA MOVED** that Rule 329(4) be temporarily amended to change the Fifty-seventh legislative day to the Fifty-eighth legislative day, which motion prevailed.

**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 1475.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2331, SCR 4005.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2035, SB 2050, SB 2097.

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2147, SB 2339.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HCR 3005.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1030, HB 1035, HB 1038, HB 1041, HB 1051, HB 1056, HB 1165, HB 1279, HB 1321, HB 1368, HB 1403, HCR 3052.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1030**

Page 2, line 28, after "violation" insert "in chapter 19-03.1"

Page 3, line 4, remove the colon

Page 3, remove lines 5 through 16

Page 3, line 17, replace "mandatory minimum sentences" with "the individual is sentenced under section 12.1-32-02.1"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1035**

Page 1, line 1, remove "a"

Page 1, line 1, replace "study" with "studies"

Page 1, line 2, after "system" insert "and a behavioral health and addiction training initiative"

Page 1, after line 17, insert:

**"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - BEHAVIORAL HEALTH AND ADDICTION TRAINING INITIATIVE.** During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of pursuing a behavioral health and addiction training initiative in response to concerns described in the behavioral health planning report prepared by Schulte Consulting, LLC, for the legislative management's 2013-14 human services committee and in reports of the steering committee of the behavioral health stakeholders group. The study shall include exploration of opportunities for innovative public-private partnerships, and may include participation by public and private stakeholders, such as the university of North Dakota school of medicine and health sciences and school of law. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1038**

Page 1, line 3, replace the first "telemedicine" with "telehealth"

Page 1, line 3, replace the second "telemedicine" with "telehealth"

Page 1, line 8, replace "telemedicine" with "telehealth"

Page 1, line 11, replace "telemedicine" with "telehealth"

Page 1, line 12, replace "medical" with "health"

Page 1, line 20, replace "medical" with "health"

Page 1, line 21, replace "telemedicine" with "telehealth"

Page 1, line 22, replace "medical" with "health"

Page 2, line 6, replace "Telemedicine" with "Telehealth"

Page 2, line 9, replace "medical" with "health"

Page 2, line 18, replace "medical" with "health"

Page 2, line 19, replace "medical" with "health"

Page 2, line 19, replace "telemedicine" with "telehealth"

Page 2, line 20, replace "medical" with "health"

Page 2, line 21, replace "medical" with "health"

Page 2, line 22, replace "telemedicine" with "telehealth"

Page 2, line 23, replace "medical" with "health"

Page 2, line 25, replace "medical" with "health"

Page 2, line 29, replace "medical" with "health"

Page 3, line 1, replace "medical" with "health"

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

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

Page 3, line 5, replace "medical" with "health"

Page 3, line 5, replace "telemedicine" with "telehealth"

Page 3, line 6, replace "medical" with "health"

Page 3, line 9, replace "medical" with "health"

Page 3, line 10, replace "telemedicine" with "telehealth"

Page 3, line 12, replace "**TELEMEDICINE**" with "**TELEHEALTH**"

Page 3, line 14, replace "telemedicine" with "telehealth"

Page 3, line 16, replace "telemedicine" with "telehealth"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1041**

Page 1, line 2, after "program" insert "; and to provide for application"

Page 1, line 20, after "identifies" insert "the"

Page 1, line 20, replace "and maximum amounts" with "amount"

Page 1, line 20, after "pharmacy" insert "providers for each medication. The reimbursement"

Page 2, line 6, remove "only"

Page 2, line 6, after "order" insert "to be the sole method of service"

Page 2, line 11, replace "its" with "the private carrier's"

Page 2, line 11, replace "that" with "which"

Page 2, after line 16, insert:

**"SECTION 2. APPLICATION.** This Act applies to a contract entered or renewed on or after the effective date of this Act."

Renumber accordingly

#### SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1051

Page 1, line 13, replace "all" with "nonstudent employee"

Page 1, line 13, replace "five" with "two"

Page 2, line 1, replace "all" with "nonstudent employee"

Renumber accordingly

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1056

Page 1, line 19, replace "after receipt of a petition" with "and approval"

Page 1, line 19, replace "residing within the district" with "voting on the question at an annual or special meeting of electors called by the board of directors"

Page 1, line 20, after the underscored period insert "If an election to approve or reauthorize an excess levy will be held at an annual or special meeting of electors of the district called by the board of directors, notice of the meeting and the proposed excess levy election must be provided by at least one publication in the official newspaper of each county in which the district is located at least seven days, but not more than fourteen days, before the date of the public meeting. The published notice must include the amount of the proposed tax rate increase in mills and the duration for which elector approval of the increase is sought and must include the location where, and hours during which, ballots may be cast.

Votes to approve or disapprove the levy increase must be cast on the date of the meeting. The polling place must remain open for at least six hours on the date of the meeting. The secretary-treasurer of the district shall prepare and distribute to qualified electors paper ballots to conduct the election on the question of increased levy authority. Three election judges to receive and count the ballots must be selected by approval of a majority of qualified electors in attendance. A marked ballot must be delivered to one of the judges, folded to conceal its contents, and the judge shall deposit it in the ballot box and another judge shall enter the name of the elector who cast the ballot in the poll book. When the election is closed, the judges shall count the ballots and announce the result. Results of the election must be certified to the county auditor within ten days after the election. The certificate must include a statement of the question as it appeared on the ballot, together with the total number of votes cast in favor, and the number of votes cast against, authorizing the excess levy.

Page 1, line 21, remove "petition of"

Page 1, line 22, replace "eight" with "ten"

Page 1, line 22, overstrike "No signature on the petition may be considered valid"



Page 1, line 23, overstrike "if made more than ninety days prior to receipt of the petition."

Renumber accordingly

#### **SENATE AMENDMENTS TO HOUSE BILL NO. 1165**

Page 1, line 13, after the first "assistance" insert "as appropriate"

Page 1, line 13, after the second "assistance" insert a comma

Page 1, line 13, remove "and"

Page 1, line 13, after "trusts" insert ", and the council of state governments' justice center"

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1279**

Page 1, line 1, remove "home and community-based"

Page 1, line 2, replace "services in North Dakota" with "family caregiver supports and services"

Page 1, line 5, remove "home and community-based services in this"

Page 1, remove lines 6 through 13

Page 1, line 14, replace "community-based study." with "family caregiver supports and services. The study must identify policies, resources, and programs available for family caregivers and encourage additional innovative and creative means to support family caregivers so that they are able to continue to provide in-home support for older adults. The study must include input from stakeholders, including representatives of hospitals, social and clinical providers, advocacy organizations, tribal government, state and local agencies and institutions, and caregivers in this state. The study committee may receive testimony on the needs of family caregivers, including designation of caregivers, training, respite services, medical leave policies, and delegation of tasks to non-medical aides. The study must include an inventory of the resources available to family caregivers and may make any recommendations for administrative actions to support family caregivers. The legislative management may contract for consulting and coordination of study services."

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1321**

Page 1, line 2, replace "communication" with "devices"

Page 1, line 14, remove "(1)"

Page 1, line 14, remove the overstrike over "directed"

Page 1, line 14, remove the colon

Page 1, line 15, remove "(a) Directed"

Page 1, line 16, remove the overstrike over the overstruck period

Page 1, line 16, remove " or"

Page 1, remove lines 17 through 22

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

Page 2, line 3, after the period insert "Stalking includes the unauthorized tracking of the person's movements or location through use of a global positioning system or other electronic device."

Re-number accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1368**

Page 1, line 2, replace "the requirements" with "mandated treatment"

Page 1, line 2, replace "offender treatment programs" with "offenders"

Page 1, line 7, remove "1."

Page 1, line 10, after "program" insert ". A court may not order the offender to attend anger management classes or individual counseling"

Page 1, line 10, after "unless" insert "a domestic violence offender treatment program is not reasonably available to the defendant and"

Page 1, line 10, overstrike "written"

Page 1, line 11, overstrike "such"

Page 1, line 11, after "order" insert "to complete a domestic violence offender treatment program"

Page 1, remove lines 12 through 24

Page 2, remove lines 1 through 3

Re-number accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1403**

Page 1, line 12, after "b." insert "Immediate family member means a spouse, parent, child, or sibling as provided under section section 12.1-17-07.1."

c."

Page 1, line 13, replace "c." with "d."

Page 1, line 14, replace "d." with "e."

Page 1, line 18, after "employee's" insert "immediate"

Page 2, line 1, after "employee's" insert "immediate"

Page 2, line 3, replace the first "a" with "an immediate"

Page 2, line 6, replace "a" with "an immediate"

Page 2, line 8, after "employee's" insert "immediate"

Page 2, after line 12, insert:

f. In the discretion of the employee's supervisor, the sick leave hours may be limited to forty hours per calendar year."

Re-number accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE CONCURRENT RESOLUTION NO.  
3052**

Page 1, line 19, after the period insert "The North Dakota Legislative Assembly requests the State Board of Higher Education provide a report to the legislative management before July 1, 2016, regarding the policies, procedures, supports, and services available to all public institutions of higher education in the state regarding sexual assault and related incidents."

Renumber accordingly

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1111.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1111**

Page 1, line 7, after the semicolon insert "to provide for a report to the legislative management;"

Page 14, after line 8, insert:

**"SECTION 15. DEPARTMENT OF HUMAN SERVICES REPORT TO LEGISLATIVE MANAGEMENT.** The department of human services shall provide a report to the legislative management before July 1, 2016, regarding the number of revoked obligor driver's licenses, the duration and effectiveness of revocations, including a comparison of the state's driver's license revocation with other rural states; and shall present a specific proposal that may limit the use of revocation of driver's licenses as a tool of enforcement."

Renumber accordingly

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2057, SB 2096, SB 2130, SB 2145, SB 2209, SB 2285, SB 2324, and SB 2371.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1228, HB 1309, HB 1467, HCR 3012, HCR 3037, HCR 3048, HCR 3049.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2057, SB 2096, SB 2130, SB 2145, SB 2209, SB 2270, SB 2285, SB 2324, SB 2371.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1032, HB 1096, HB 1114, HB 1184, HB 1356, HB 1389, HB 1391.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3001.

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

**MR. SPEAKER:** The President has signed: SB 2261, SB 2329, SB 2375.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 30, 2015: HB 1032, HB 1096, HB 1114, HB 1184, HB 1356, HB 1389, HB 1391.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on March 30, 2015: HCR 3001.

**MOTION**

**REP. VIGESAA MOVED** that the absent member be excused, which motion prevailed.

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, March 31, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2046, as reengrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2046 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2085: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2085 was placed on the Sixth order on the calendar.

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

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

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

Page 1, after line 14 insert:

"1."

Page 1, line 15, after the period insert:

"a."

Page 1, line 15, overstrike "of the"

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

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

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

Page 1, line 18, overstrike "Two"

Page 1, overstrike line 19

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

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

"b. One member of the board"

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

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

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

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

Page 1, line 21, overstrike "of one"

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

Page 1, line 22, after the period insert:

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

d."

Page 2, after line 2 insert:

"2."

Page 2, after line 6, insert:

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

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

The board has the following powers and duties:

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

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

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

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

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

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

Page 2, line 10, remove "or licensee"

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

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

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

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

Page 2, line 27, overstrike "their"

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

Page 2, line 28, overstrike "their"

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

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

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

Page 5, line 15, overstrike "a person"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2107, as reengrossed: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2107 was placed on the Sixth order on the calendar.

Page 2, line 9, after "b" insert "of subsection 1"

Page 7, line 31, remove "and"

Page 8, line 7, replace "2" with "3"

Page 8, line 13, after "prostitution" insert ", felony forgery, felony theft, felony drug distribution,"

Page 10, line 27, remove "not"

Page 10, line 27, remove "in favor"

Page 10, line 28, replace "of abortion" with "for family planning services, but may not be used to perform, refer for, or encourage abortion"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2139, as engrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2139 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "39-05-02.2,"

Page 1, line 3, remove "39-24-01,"

Page 1, line 3, remove "39-24-03,"

Page 1, line 3, remove "39-24-04, 39-24-05, 39-24-06,"

Page 1, remove lines 8 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 4

Page 3, line 7, remove the overstrike over "**registration**"

Page 3, line 7, remove "**licensing**"

Page 3, line 7, remove the overstrike over "~~Title certificate~~"

Page 3, line 7, remove "**Identification numbers**"

Page 3, line 11, remove the overstrike over "registered"

Page 3, line 11, remove "numbered and licensed"

Page 3, line 12, remove the overstrike over "~~titled under the provisions of~~"

Page 3, line 13, remove the overstrike over "~~chapter 39-05~~"

Page 3, line 13, remove "numbered and licensed"

Page 3, line 14, remove the overstrike over "~~titled~~"

Page 3, line 15, remove the overstrike over "~~under the provisions of chapter 39-05~~"

Page 3, line 15, remove "numbered and licensed"

Page 3, remove lines 16 through 31

Page 4, remove lines 1 through 23

Page 5, remove lines 7 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 4

Page 7, line 15, remove "of the parks and recreation department"

Page 7, line 16, remove the overstrike over the first "registration"

Page 7, line 16, remove the first "licensing"

Page 7, line 16, remove the overstrike over the second "-registration"

Page 7, line 16, remove "licensing identification"

Page 7, line 17, remove "as to provide clear legibility for identification"

Page 13, remove lines 17 through 24

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2141, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2141 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2189, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2189 was placed on the Sixth order on the calendar.

Page 1, line 1, after the third comma insert "43-35-09,"

Page 1, line 2, remove "and"

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

Page 1, line 9, overstrike "president"

Page 1, line 10, after "to" insert "chairman"

Page 1, line 11, overstrike "president, vice president" and insert immediately thereafter "chairman, vice chairman"

Page 1, line 11, overstrike "The secretary-treasurer need not be a"

Page 1, line 12, overstrike "member of the board."

Page 1, line 12, overstrike "and"

Page 1, line 13, overstrike "regulations"

Page 1, line 20, replace "secretary-treasurer shall" with "board shall appoint one of its members to"

Page 2, line 6, after "rate" insert "by rule"

Page 2, after line 6, insert:

**"SECTION 4. AMENDMENT.** Section 43-35-09 of the North Dakota Century Code is amended and reenacted as follows:

**43-35-09. Deposit of fees - Use and appropriation of funds.**

All fees received by the treasurer under this chapter must be deposited to the credit of the board in the Bank of North Dakota and disbursed only on order of the ~~president~~chairman and secretary-treasurer. Funds collected for certifying and inspections may be expended in such manner as the board deems necessary to best carry out the provisions of this chapter. All funds accruing to the credit of the state board of water well contractors are hereby permanently appropriated to the board for the purpose of this chapter."

Page 2, line 20, overstrike the second "drill" and insert immediately thereafter "install"

Page 2, line 22, remove "; any person that willfully violates an order of the board:"

Page 2, line 26, after "assess" insert "the cost to repair any damage caused by the violation, any costs incurred by the board in the action, and"

Page 2, line 27, remove "under this chapter"

Page 2, line 28, replace "five thousand dollars for each day the violation occurred and continues to occur" with "ten thousand dollars"

Page 2, line 29, remove "by the executive officer on"

Page 2, line 30, remove "behalf of the board"

Page 3, line 1, remove "by the executive officer"

Page 3, line 2, after "pay" insert "or appeal"

Page 3, line 3, after the underscored comma insert "interest begins to accrue on the unpaid amount of the civil penalty at the rate of twelve percent per annum and"

Page 3, line 5, remove "Any civil penalty assessed under this section is in addition to any costs"



Page 3, replace line 6 with "The proceeds of any civil penalty or interest received by the board, after retention of any costs incurred by the board in the action, must be transferred to the state treasurer for deposit in the state general fund."

**SECTION 7. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2199, as engrossed: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2199 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "pilot project"

Page 1, line 2, after the semicolon insert "to amend and reenact section 54-12-14 of the North Dakota Century Code, relating to the assets forfeiture fund;"

Page 1, line 8, remove "implementing a human trafficking victims treatment and"

Page 1, replace lines 9 through 19 with "providing grants to organizations involved in prevention and treatment services related to human trafficking victims for the biennium beginning July 1, 2015, and ending June 30, 2017. The attorney general may provide grants for the development and implementation of direct care, emergency or long term crisis services, residential care, training for law enforcement, support of advocacy services, and programs promoting positive outcomes for victims"

Page 1, line 21, replace "pilot project" with "grant program"

Page 1, after line 21, insert:

**"SECTION 2. AMENDMENT.** Section 54-12-14 of the North Dakota Century Code is amended and reenacted as follows:

#### **54-12-14. Assets forfeiture fund - Created - Purpose - Continuing appropriation.**

1. The attorney general assets forfeiture fund consists of funds appropriated by the legislative assembly and additional funds obtained from moneys, assets, and proceeds seized and forfeited pursuant to section 19-03.1-36, amounts received through court proceedings as restitution, amounts remaining from the forfeiture of property after the payment of expenses for forfeiture and sale authorized by law, and amounts received from a multijurisdictional drug task force as defined in section 54-12-26. The amount of deposits into the fund which do not come from legislative appropriation or from a multijurisdictional drug task force and are not payable to another governmental entity may not exceed two hundred thousand dollars within a biennium and any moneys in excess of that amount must be deposited in the general fund. The funds are appropriated, as a standing and continuing appropriation, to the attorney general for the following purposes:
  - 1- a. For obtaining evidence for enforcement of any state criminal law or law relating to the control of drug abuse.
  - 2- b. For repayment of rewards to qualified local programs approved under section 12.1-32-02.2, if the information that was reported to the qualified local program substantially contributed to forfeiture of the asset, and for paying, at the discretion of the attorney general, rewards for other information or assistance leading to a forfeiture under section 19-03.1-36.

- 3. c. For paying, at the discretion of the attorney general, any expenses necessary to seize, detain, inventory, safeguard, maintain, advertise, or sell property seized, detained, or forfeited pursuant to section 19-03.1-36, or of any other necessary expenses incident to the seizure, detention, or forfeiture of such property.
  - 4. d. For equipping, for law enforcement functions, forfeited vessels, vehicles, and aircraft retained as provided by law for official use by the state board of pharmacy or a law enforcement agency.
  - 5. e. For paying, at the discretion of the attorney general, overtime compensation to agents of the bureau of criminal investigation incurred as a result of investigations of violations of any state criminal law or law relating to the control of drug abuse.
  - 6. f. For paying matching funds required to be paid as a condition for receipt of funds from a federal government program awarding monetary grants or assistance for the investigation, apprehension, or prosecution of persons violating the provisions of chapter 19-03.1.
2. The attorney general shall, with the concurrence of the director of the office of management and budget, establish the necessary accounting procedures for the use of the fund, and shall personally approve, in writing, all requests from the director of the bureau of criminal investigation or the director of the drug enforcement unit for the use of the fund.
3. Notwithstanding subsection 1, the amount of deposits into the fund related to human trafficking are appropriated, as a standing and continuing appropriation, to the attorney general for awarding grants to organizations providing prevention and treatment services for human trafficking victims."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2222, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2222 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2284, as reengrossed: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2284 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**SB 2294, as reengrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Reengrossed SB 2294 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2299, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2299 was placed on the Sixth order on the calendar.

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

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2304, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended,

recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2304 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 an appropriation for the demolition of the governor's residence and the construction of a new residence.

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

**SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the capitol building fund in the state treasury, not otherwise appropriated, the sum of \$4,000,000, or so much of the sum as may be necessary, and from funds derived from private donations, the sum of \$1,000,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of constructing a governor's residence, for the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 2. CONSTRUCTION AUTHORIZATION - ADDITIONAL INCOME.** Section 1 of this Act includes \$5,000,000, of which \$4,000,000 is from the capitol building fund and \$1,000,000 is from funds to be raised from private donations, for the demolition of the governor's residence and for the design and construction of a new residence, including a public gathering facility to accommodate at least one hundred people, on the site of the current residence. Construction may not begin until any private fundraising group certifies to the office of management and budget that, of the special funds required to complete the project, cash or pledges with a discounted cash value of at least \$500,000 have been received and placed in an account designated for the sole purpose of constructing the project authorized in this Act. If more than \$1,000,000 in donated funds is raised, the office of management and budget may seek emergency commission and budget section approval to spend the funds for the governor's residence project."

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2312, as engrossed: Transportation Committee (Rep. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2312 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "subsection 9 of section 39-29.2-03 and"

Page 1, line 1, replace the first comma with "and"

Page 1, line 1, remove ", 39-29.2-07, 39-29.2-08,"

Page 1, remove line 2

Page 1, line 3, remove "39-29.2-16, 39-29.2-17, 39-29.2-18, 39-29.2-19, and 39-29.2-20"

Page 1, line 5, after the third comma insert "subsection 1 of section 39-04-06,"

Page 1, line 6, after the second comma insert "subsection 7 of section 39-29.2-03,"

Page 2, after line 25, insert:

**"SECTION 4. AMENDMENT.** Subsection 1 of section 39-04-36 of the North Dakota Century Code is amended and reenacted as follows:

1. Whenever the ownership of a vehicle registered under the provisions of this chapter ~~or~~ chapter 39-18, or chapter 39-29.2 is transferred or assigned, the registration of the vehicle expires and the transferor shall remove the number plates."

Page 3, after line 12, insert:

**"SECTION 7. AMENDMENT.** Subsection 7 of section 39-29.2-03 of the North Dakota Century Code is amended and reenacted as follows:

7. The department shall issue a plate in the same manner as a plate is issued to a motorcycle. Whenever the ownership of an unconventional vehicle registered under this chapter is transferred or assigned, the plates must be handled in accordance with subsection 1 of section 39-04-36.

**SECTION 8.** Subsection 9 to section 39-29.2-03 of the North Dakota Century Code is created and enacted as follows:

9. Every unconventional vehicle is subject to the motor vehicle body damage disclosure requirement of section 39-05-17.2."

Page 3, remove lines 22 through 31

Page 4, line 1, remove "3."

Page 4, line 7, remove "performance."

Page 4, line 8, remove "United States environmental protection agency equipment requirements, and the"

Page 4, line 9, replace "of" with "adopted under"

Page 4, line 9, after the underscored period insert "An individual who manufactures an unconventional vehicle for personal use does not have to meet the certification requirements of this section, but shall comply with the rules adopted under this chapter."

Page 4, remove lines 12 through 30

Page 5, remove lines 1 through 31

Page 6, remove lines 1 and 31

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 31

Page 9, remove lines 1 and 31

Page 10, remove lines 1 through 25

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2321, as reengrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2321 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**SB 2346: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2346 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "subsection 1 of section 15-10-18.2 and sections 15-10-18.3 and"

Page 1, line 2, after "to" insert "tuition reduction for dependents of disabled veterans based on disability ratings and"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 1 of section 15-10-18.2 of the North Dakota Century Code is amended and reenacted as follows:

1. "Dependent" for purposes of section 15-10-18.3 means:
  - a. A child, stepchild, spouse, widow, or widower of a resident veteran, as "veteran" is defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, has a ninety or one hundred percent service-connected disability as determined by the department of veterans' affairs, has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs, died from service-connected disabilities, was a prisoner of war, or was declared missing in action;
  - b. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, has a ninety or one hundred percent service-connected disability as determined by the department of veterans' affairs, has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs, died from service-connected disabilities, was a prisoner of war, or was declared missing in action, provided the child's other parent has been a resident of this state and was a resident of this state at the time of death or determination of total disability of the veteran; or
  - c. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, has a ninety or one hundred percent service-connected disability as determined by the department of veterans' affairs, has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs, died from service-connected disabilities, was a prisoner of war, or was declared missing in action, provided the child's other parent establishes residency in this state and maintains that residency for a period of five years immediately preceding the child's or stepchild's enrollment at an institution under the control of the state board of higher education.

**SECTION 2. AMENDMENT.** Section 15-10-18.3 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-18.3. Free and reduced tuition in North Dakota institutions of higher education.**

1. Any dependent, as defined in section 15-10-18.2, except dependents of veterans with a service-connected disability rating or a total disability rating of ninety percent, upon being duly accepted for enrollment into any undergraduate degree or certificate program of a North Dakota state institution of higher education, must be allowed to obtain a bachelor's degree or certificate of completion, for so long as the dependent is eligible, free of any tuition and fee charges if the bachelor's degree or certificate of completion is earned within a forty-five-month or ten-semester period or its equivalent and if tuition and fee charges do not include costs for aviation flight charges or expenses. Once an individual qualifies as a dependent under sections 15-10-18.2 and 15-10-18.3, the dependent may not be disqualified from the benefits of this section:
- 4- a. Due to the return of the prisoner of war;

- 2- b. Due to the return of the individual missing in action; or
- 3- c. Because the veteran through whom the benefit was obtained had a one hundred percent service-connected disability at the time of death.
2. Any dependent, as defined in section 15-10-18.2, of a veteran with a service-connected disability rating or a total disability rating of ninety percent, upon being duly accepted for enrollment into any undergraduate degree or certificate program of a North Dakota state institution of higher education, must be allowed to obtain a bachelor's degree or certificate of completion, for so long as the dependent is eligible, at a rate of tuition and fees that are reduced by the percentage of the disabled veteran's service-connected disability rating or total disability rating, whichever is higher; provided, however, that the bachelor's degree or certificate of completion is earned within a forty-five-month or ten-semester period or its equivalent; and further provided that tuition and fee charges eligible for this reduction do not include costs for aviation flight charges or expenses. Once an individual qualifies as a dependent under sections 15-10-18.2 and 15-10-18.3, the dependent may not be disqualified from the benefits of this subsection because of the subsequent death of the veteran through whom the benefit was obtained."

Page 1, line 9, after "The" insert "department of"

Page 1, line 9, overstrike "commissioner"

Page 1, line 11, overstrike "made" and insert immediately thereafter "maintained"

Page 1, line 11, overstrike "prior advice" and insert immediately thereafter "concurrence"

Page 1, line 15, remove "an organization approved by"

Page 1, line 15, remove "United States"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2368, as engrossed: Transportation Committee (Rep. Ruby, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2368 was placed on the Sixth order on the calendar.

Page 1, line 20, replace "connect with" with "transport"

Page 1, line 20, after "passengers" insert "for compensation"

Page 1, line 24, replace "provides" with "enables"

Page 2, line 1, after "with" insert "independent participating"

Page 2, line 3, after "that" insert "specifically"

Page 2, line 24, remove "following"

Page 3, line 6, replace "of one million dollars" with "under subsection 3 of section 26.1-40-15.2"

Page 3, line 27, remove the second "fifty"

Page 3, line 28, replace "fifty" with "twenty-five"

Page 3, line 30, remove "subsection 3 of"

Page 3, line 30, replace "26.1-40-15.1" with "26.1-40-15.2"

Page 4, line 1, remove "subsection 2 of"

Page 4, line 1, replace "26.1-40-15.1" with "26.1-40-15.3"

Page 4, line 9, replace "subsection" with "subdivision"

Page 4, line 12, replace "subsections" with "subdivisions"

Page 4, line 13, remove "A transportation network company may meet its obligations under this section through"

Page 4, remove lines 14 through 22

Page 4, line 23, remove "5."

Page 5, line 4, after "that" insert "specifically"

Page 5, line 5, replace "more" with "fewer"

Page 5, line 19, remove "1."

Page 5, remove lines 25 through 28

Page 6, after line 4, insert:

**"26.1-40.1-11. Conditional no fault insurance coverage.**

An insurer that writes a personal automobile insurance policy may allow no fault insurance coverage to be conditional on transportation network company no fault insurance coverage pursuant to 26.1-40.1-03 and 26.1-40.1-04."

Page 6, remove lines 5 through 29

Page 7, remove lines 1 through 30

Page 8, remove lines 1 and 2

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SCR 4010, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4010 was placed on the Sixth order on the calendar.

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

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

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

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

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

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

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SCR 4022: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SCR 4022 was placed on the Fourteenth order on the calendar.

The House stood adjourned pursuant to Representative Vigesaa's motion.

**Buell J. Reich, Chief Clerk**