

JOURNAL OF THE SENATE

Sixty-fourth Legislative Assembly

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Bismarck, February 6, 2015

The Senate convened at 12:30 p.m., with President Pro Tempore Dever presiding.

The prayer was offered by Senator Connie Triplett, District 18.

The roll was called and all members were present except Senators Flakoll and Robinson.

A quorum was declared by the President Pro Tempore.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Poolman, Chairman)** has carefully examined the Journal of the Twenty-third Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 280, line 43, Replace " DO PASS" with "DO NOT PASS"

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

CONSIDERATION OF AMENDMENTS

SB 2044: SEN. DEVER (Human Services Committee) MOVED that the amendments be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

SB 2044 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

SB 2334: SEN. ANDERSON (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2288: SEN. RUST (Education Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2364: SEN. LARSEN (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2060: SEN. MILLER (Industry, Business and Labor Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2173: SEN. ANDERSON (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2106: SEN. NELSON (Judiciary Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2161: SEN. HOGUE (Judiciary Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2209: SEN. MARCELLAIS (Education Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

MOTION

SEN. KLEIN MOVED that after action taken on the Sixth order, SB 2234 be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2234: SEN. LARSEN (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2234: A BILL for an Act to provide for a department of human services study.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

Engrossed SB 2234 passed.

SECOND READING OF SENATE BILL

SB 2162: A BILL for an Act to create and enact section 23-01-42 of the North Dakota Century Code, relating to loan repayment programs for social workers and addiction counselors; and to provide an appropriation.

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 4 YEAS, 41 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Heckaman; Larsen; Mathern; O'Connell

NAYS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Marcellais; Miller; Murphy; Nelson; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

SB 2162 failed.

SECOND READING OF SENATE BILL

SB 2285: A BILL for an Act to amend and reenact section 34-02-01 of the North Dakota Century Code, relating to exceptions from the duty of an employer to indemnify an employee for expenses.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

SB 2285 passed.

SECOND READING OF SENATE BILL

SB 2328: A BILL for an Act to amend and reenact subsections 5 and 6 of section 57-38.6-01 of the North Dakota Century Code, relating to definition of qualified business and qualified investment under the agricultural business investment tax credit; and to provide an effective date.

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 3 YEAS, 42 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Luick; O'Connell

NAYS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Marcellais; Mathern; Miller; Murphy; Nelson; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

SB 2328 failed.

SECOND READING OF SENATE BILL

SB 2325: A BILL for an Act to amend and reenact subsections 1 and 6 of section 5-01-21 of the North Dakota Century Code, relating to multiple brewer taproom licenses.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

SB 2325 passed.

SECOND READING OF SENATE BILL

SB 2359: A BILL for an Act to create and enact a new section to chapter 28-22 of the North Dakota Century Code, relating to the exemption from judicial process of assets in college and education savings accounts, health savings accounts, and medical savings accounts; and to amend and reenact sections 28-22-03.1, 47-18-01, 47-18-04, and 47-18-14 of the North Dakota Century Code, relating to accounts and assets exempt from judicial process and the homestead exemption.

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 3 YEAS, 42 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Dever; O'Connell; Wardner

NAYS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

SB 2359 failed.

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

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

Engrossed SB 2072 passed.

SECOND READING OF SENATE BILL

SB 2073: A BILL for an Act to amend and reenact section 50-06-30 of the North Dakota Century Code, relating to security training, consultation, and assistance provided by the department of corrections and rehabilitation to the department of human 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

Engrossed SB 2073 passed.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

Engrossed SB 2168 passed.

SECOND READING OF SENATE BILL

SB 2310: A BILL for an Act to amend and reenact subsections 1 and 4 of section 57-38-01.8 of the North Dakota Century Code, relating to treatment of passthrough entity income tax credits for geothermal, solar, wind, or biomass energy devices; and to provide an effective date.

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 14 YEAS, 31 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; Campbell; Dever; Dotzenrod; Kilzer; Laffen; Larsen; Luick; Marcellais; Mathern; Nelson; Sinner; Sorvaag; Wanzek

NAYS: Anderson; Armstrong; Axness; Bekkedahl; Burckhard; Carlisle; Casper; Cook; Davison; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Lee, G.; Lee, J.; Miller; Murphy; O'Connell; Oban; Oehlke; Poolman; Rust; Schaible;

Schneider; Triplett; Unruh; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

SB 2310 failed.

SECOND READING OF SENATE BILL

SB 2262: A BILL for an Act to amend and reenact subsection 3 of section 54-10-14 of the North Dakota Century Code, relating to annual reports of certain political subdivisions in lieu of biennial audits.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Flakoll; Robinson

SB 2262 passed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4005: A concurrent resolution directing the Legislative Management to study judicial issues related to behavioral health, including 24-hour hold, termination of parental rights, and court committals.

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

SCR 4005 was declared adopted on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4017: A concurrent resolution urging the United States Senate Committee on the Judiciary to support S. 2536, the Stop Advertising Victims of Exploitation (SAVE) Act, to provide for more stringent inquiry into the age and circumstances of those whose availability is being advertised on websites that facilitate human trafficking.

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

SCR 4017 was declared adopted on a voice vote.

MOTION

SEN. KLEIN MOVED that SB 2326 be returned to the Senate floor from the **Appropriations Committee**, which motion prevailed.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2113.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2188.

MOTION

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

MOTION

SEN. KLEIN MOVED that the Senate be on the Fifth and Ninth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, February 9, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2039: Education Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2039 was placed on the Sixth order on the calendar.

Page 1, line 1, after "enact" insert "a new section to chapter 15-10, a new section to chapter 15.1-27, and"

Page 1, line 1, remove "and a new section to"

Page 1, line 2, remove "chapter 54-52"

Page 1, line 2, after "a" insert "scholarship fund, uses of the foundation aid stabilization fund, and a"

Page 1, line 3, remove "and a public employee retirement stabilization fund; to amend and reenact section"

Page 1, remove line 4

Page 1, line 5, replace "board" with "; to provide a continuing appropriation"

Page 1, after line 6, insert:

"SECTION 1. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Scholarship fund.

The scholarship fund is a special fund in the state treasury. Moneys deposited in the fund must remain in the fund on a permanent basis. Any interest or other earnings of the fund must be used to award scholarships to residents of this state attending institutions of higher education in the state. The state board of higher education shall develop rules and guidelines for the award of scholarships from interest or other earnings of the fund.

SECTION 2. A new section to chapter 15.1-27 of the North Dakota Century Code is created and enacted as follows:

Uses of the foundation aid stabilization fund.

Any funds that remain in the foundation aid stabilization fund, after transfers to other funds, must be used to provide state aid to school districts and educationally related property tax relief to school district patrons."

Page 1, line 9, after "**fund**" insert "**- Continuing appropriation**"

Page 1, line 10, after "special" insert "revolving loan"

Page 1, line 11, replace "may be used only for" with "are appropriated on a continuing basis for the purpose of providing"

Page 1, line 11, remove "as designated by the"

Page 1, line 12, remove "legislative assembly"

Page 1, line 12, after "other" insert "earnings of the"

Page 1, line 12, remove "earnings"

Page 1, remove lines 13 through 24

Page 2, remove lines 1 through 26

Page 2, line 29, remove "the sum of"

Page 2, line 30, replace "\$250,000,000" with "an amount equal to the lesser of \$300,000,000 or fifty percent of the balance of the foundation aid stabilization fund on July 1, 2016,"

Page 3, line 1, remove "**PUBLIC**"

Page 3, line 2, replace "**EMPLOYEE RETIREMENT STABILIZATION FUND**" with "**SCHOLARSHIP FUND**"

Page 3, line 3, remove "the sum of"

Page 3, line 4, replace "\$200,000,000" with "an amount equal to the lesser of \$300,000,000 or fifty percent of the balance of the foundation aid stabilization fund on July 1, 2016,"

Page 3, line 4, remove "public employee retirement"

Page 3, line 5, replace "stabilization" with "scholarship"

Page 3, line 6, replace "4" with "2, 4,"

Page 3, line 8, replace "4" with "2, 4,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2046: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2046 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "the development of an outcomes-based data system for behavioral health services" with "reports to the legislative management"

Page 1, line 3, after the semicolon insert "and"

Page 1, line 4, remove "an appropriation to the department of human services for substance abuse treatment"

Page 1, remove line 5

Page 1, line 6, replace "provide for a legislative management study" with "appropriations"

Page 1, line 11, replace "The" with "Beginning January 1, 2016, the"

Page 1, line 11, remove "adopt rules entitling licensed professional clinical"

Page 1, line 12, replace "counselors and" with "allow"

Page 1, line 12, after "to" insert "enroll and be eligible for"

Page 1, line 14, remove "based on federal laws and regulations"

Page 1, remove lines 15 through 20

Page 1, line 21, remove "**SUBSTANCE**"

Page 1, line 22, remove "**ABUSE TREATMENT SERVICES -**"

Page 2, line 1, replace "expanding adult and youth" with "addressing gaps in the state's"

Page 2, line 2, replace "services" with "system"

Page 2, line 2, after "including" insert "intervention,"

Page 2, line 2, after "detoxification" insert ", and recovery"

Page 2, line 3, after the period insert "The department of human services shall ensure recipients of funding under this section collect and report process and outcome measures. Recipients of funding under this section shall implement research-based programs. The department of human services shall require recipients of funding under this section to develop sustainability plans and participate in training and technical assistance."

Page 2, after line 4, insert:

"SECTION 4. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES.

There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$124,887, or so much of the sum as may be necessary, and from special funds derived from federal funds, the sum of \$124,886, or so much of the sum as may be necessary, to the department of human services for the purpose of providing payment to licensed marriage and family therapists who provide behavioral health services under Section 1 of this Act, for the biennium beginning July 1, 2015, and ending June 30, 2017."

Page 2, remove lines 10 through 18

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2138: Transportation Committee (Sen. Oehlke, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2138 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 create and enact section 24-01-12.4 of the North Dakota Century Code, relating to a pilot project for sponsorship agreements for litter control within rights of way; to provide for a report to the legislative management; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 24-01-12.4 of the North Dakota Century Code is created and enacted as follows:

24-01-12.4. Sponsorship agreements for litter control within rights of way - Pilot project.

The director may enter a sponsorship agreement with a person to provide litter control within a highway right of way located within the northwestern region of the state. The director may acknowledge a sponsor that provides litter control under this section which may include an acknowledgment sign within the highway right of way. As used in this section, the term "acknowledgment sign" means a sign with the sole purpose of informing the traveling public a highway-related service is sponsored by that person. Acknowledgment signs facing the same direction must be placed at least three miles [4.83 kilometers] apart. An acknowledgment sign must comply with

requirements as set forth in the manual on uniform traffic-control devices as adopted by the department.

SECTION 2. REPORT TO LEGISLATIVE MANAGEMENT - DEPARTMENT OF TRANSPORTATION. Before September 1, 2016, the department of transportation shall report to the legislative management on the status of the pilot project for sponsorship agreements for litter control within highway rights of way under section 24-01-12.4. The report must include findings and recommendations as a result of any sponsorship agreements the director of the department of transportation entered under the pilot project.

SECTION 3. EXPIRATION DATE. This Act is effective through June 30, 2021, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2148: Transportation Committee (Sen. Oehlke, 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). SB 2148 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to provide a penalty"

Page 1, line 6, remove "- Penalty"

Page 1, line 7, replace "forty-five" with "sixty-five"

Page 2, line 2, remove "The use of a license, permit,"

Page 2, remove lines 3 and 4

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2171: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2171 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "solicit" with "negotiate"

Page 1, line 16, after "contract" insert "amendment, up to an additional one hundred fifty thousand dollars, with the general electrical or mechanical contractor, whose contract would represent the largest portion of the project cost,"

Page 1, line 16 after "for" insert "providing"

Page 1, line 16, replace "not receiving" with "for which"

Page 1, line 16, after "bid" insert "was not received"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2198: Transportation Committee (Sen. Oehlke, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2198 was placed on the Sixth order on the calendar.

Page 1, line 7, after "1." insert "An individual under the age of ten may not operate a snowmobile unless the individual operates the snowmobile on private land."

Page 1, line 8, replace the first "is" with "operates the snowmobile"

Page 1, line 8, remove "unless"

Page 1, line 9, replace "and the individual" with "pursuant to chapter 30.1-27."

Page 1, line 11, after "28-32" insert and underscored comma

Page 1, line 12, after the second "the" insert "parks and recreation"

Page 1, line 12, remove "of transportation"

Page 1, line 18, after the second "the" insert "parks and recreation"

Page 1, line 18, overstrike "of transportation"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2207: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2207 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 to the state historical society for the cultural heritage grant program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$600,000, or so much of the sum as may be necessary, to the state historical society for the purpose of providing funding for the cultural heritage grant program, for the biennium beginning July 1, 2015, and ending June 30, 2017."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2233: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2233 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of public improvement issues relating to use of multiple bids versus single prime bids, bidding thresholds, design services thresholds, and indemnification.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY. During the 2015-16 interim, the legislative management shall consider studying public improvement issues relating to use of multiple bids versus single prime bids, bidding thresholds, design services thresholds, and indemnification. 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

REPORT OF STANDING COMMITTEE

SB 2235: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2235 was placed on the Sixth order on the calendar.

Page 2, line 4, replace "thirty" with "twenty"

Page 2, line 4, after "percent" insert "of the amount paid by the retailer to acquire the parts"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2244: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2244 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2245: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2245 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of making provisions for Indian veterans' service representatives."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - INDIAN VETERANS' SERVICE REPRESENTATIVES STUDY. During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of funding Indian veterans' service representatives to provide equivalent services to those provided by county veterans' service officers. The study must include an evaluation of the number of Indian veterans in each county and where the Indian veterans' service representatives should be located. 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

REPORT OF STANDING COMMITTEE

SB 2257: 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** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2257 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and providing for use of the program to develop mobile home parks"

Page 2, line 18, remove the "or"

Page 2, line 19, remove "mobile home park"

Page 2, line 28, remove "or a mobile"

Page 2, line 29, remove "home park"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2258: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2258 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 amend and reenact section 54-52.4-03 and subsection 1 of section 54-52.4-05 of the North Dakota Century Code, relating to state employee leave."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 54-52.4-03 of the North Dakota Century Code is amended and reenacted as follows:

54-52.4-03. Use of other available leave for care of self, parent, spouse, or child.

1. ~~An employer that provides annual leave or sick leave, or both, for its employees for illnesses or other medical or health reasons shall grant an employee's request to use that leave to care for the employee's child, spouse, or parent if the child, spouse, or parent has a serious health condition. An employee may take eighty hours of leave under this section in any twelve-month period and, upon approval of the employee's supervisor and pursuant to rules adopted by the director of the office of management and budget, the employee may take, in any twelve-month period, up to an additional ten percent of the employee's accrued sick leave to care for the employee's child, spouse, or parent if the child, spouse, or parent has a serious health condition, in any combination, for any one or more of the following reasons:~~
 - a. ~~To care for the employee's child by birth, if the leave concludes within twelve months of the child's birth.~~
 - b. ~~To care for a child placed with the employee, by a child-placing agency licensed under chapter 50-12, for adoption or as a precondition to adoption under section 14-15-12, but not both, or for foster care, if the leave concludes within twelve months of the child's placement.~~
 - c. ~~To care for the employee's child, spouse, or parent if the child, spouse, or parent has a serious health condition.~~
 - d. ~~Because of the employee's serious health condition that makes the employee unable to perform the functions of the employee's job.~~
2. ~~For any combination of reasons specified in subsection 1, an employee may take leave under this section in any twelve-month period for not more than twelve workweeks. The twelve weeks of leave under this section may be taken intermittently for leave under subdivision a or b of subsection 1 if approved by the employer. The twelve weeks of leave under this section may be taken intermittently for leave under subdivision c or d of subsection 1 if the leave is medically necessary. If an employee normally works a part-time schedule or variable hours, the amount of leave to which an employee is entitled must be determined on a pro rata or proportional basis by comparing the new schedule with the employee's normal schedule.~~
3. The employer shall compensate the employee for leave used by the employee under this section on the same basis as the employee would be compensated if the leave had been taken due to the employee's own illness or for annual leave.

SECTION 2. AMENDMENT. Subsection 1 of section 54-52.4-05 of the North Dakota Century Code is amended and reenacted as follows:

1. If an employee requests family leave for the reasons described in subdivision c or d of subsection 1 of section 54-52.4-02 or leave under other leave for the reasons described in subdivision c or d of subsection 1 of section 54-52.4-03, the employer may require the employee to provide certification, as described in subsection 2, from the provider of health care to the child, spouse, parent, or employee."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2261: Agriculture Committee (Sen. Miller, Chairman) recommends DO PASS

(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2261 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2268: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2268 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2280: Transportation Committee (Sen. Oehlke, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2280 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2306: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2306 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2330: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2330 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "supervision" with "control"

Page 1, line 10, after "issued" insert "after December 31, 2015."

Page 1, line 10, after "education" insert "under the control of the state board of higher education"

Page 1, line 12, after "education" insert "under the control of the state board of higher education"

Page 1, line 22, remove "under the"

Page 1, line 23, remove "supervision of the state board of higher education"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2346: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2346 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2363: Transportation Committee (Sen. Oehlke, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2363 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4003: Education Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4003 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "provides for additional" with "expands the"

Page 1, line 4, after the second "for" insert "which"

Page 1, line 4, after "fund" insert "may be used"

Page 1, line 13, after the bold period insert:

"1."

Page 1, line 13, overstrike "Twenty" and insert immediately thereafter "Ten"

Page 1, line 14, overstrike "allocated as follows:"

Page 1, line 15, overstrike "1. Fifty percent must be"

Page 1, line 16, overstrike "Fifty" and insert immediately thereafter "Ten"

Page 1, line 16, after "percent" insert "of the revenue from oil extraction taxes from taxable oil produced in this state"

Page 1, line 17, overstrike "income"

Page 1, line 18, overstrike "The" and insert immediately thereafter:

"a. Except as otherwise provided, the"

Page 1, line 19, overstrike "only"

Page 1, line 20, remove "state school"

Page 1, line 20, overstrike "aid"

Page 1, line 20, overstrike "that" and insert immediately thereafter "in state aid to school districts, which"

Page 1, line 20, after "action" insert an underscored comma

Page 1, line 21, after "law" insert an underscored comma

Page 1, line 21, after the period insert:

"b."

Page 1, line 23, remove "school"

Page 1, line 23, after "aid" insert "to school districts."

Page 1, line 23, after "biennium" insert an underscored comma

Page 1, line 25, replace "purpose of making" with "purposes of:"

(1) Providing"

Page 2, line 1, remove ", addressing existing or anticipated"

Page 2, remove line 2

Page 2, line 3, replace "purposes" with ":

(2) Providing scholarships to residents of this state attending institutions of higher education in this state;

(3) Supplementing the common schools trust fund; or

(4) Providing state aid to school districts and educationally related property tax relief to school district patrons"

Renumber accordingly

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Mathern, J. Lee and Reps. Silbernagel, Hogan, Hofstad introduced:

SCR 4021: A concurrent resolution directing the Legislative Management to study how the institution for mental disease Medicaid reimbursement exclusion impacts this state, including the impact on Medicaid enrollees and on private and public sector providers.

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

Sens. J. Lee, Dever, Krebsbach, Nelson and Reps. Porter, Silbernagel introduced:

SCR 4022: A concurrent resolution directing the Legislative Management to study election and lobbying laws.

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

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

Jane Schaible, Secretary