

## JOURNAL OF THE HOUSE

## Sixty-fifth Legislative Assembly

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Bismarck, March 16, 2017

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

The prayer was offered by Chaplain Larry Giese, Missouri Slope Lutheran Care Center, Bismarck

The roll was called and all members were present.

A quorum was declared by the Speaker.

**THE HOUSE RECOGNIZED THE PRESENCE OF:**

South Dakota Rep. Lynne Hix-DiSanto

**MOTION**

**REP. VIGESAA MOVED** that HCR 3033, which is on the Eleventh order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, HCR 3033 was rereferred.

**MOTION**

**REP. VIGESAA MOVED** that SB 2210, as amended, which is on the Sixth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, SB 2210, as amended, was rereferred.

**MOTION**

**REP. VIGESAA MOVED** to temporarily amend HR 509 to read "fiftieth legislative day" instead of "forty-seventh legislative day" as the deadline for the reporting back of resolutions that direct an interim study by the Legislative Management or that propose an amendment to the Constitution of the United States or the Constitution of North Dakota, which motion prevailed on a voice vote.

**POINT OF PERSONAL PRIVILEGE**

**REP. OLSON** rose on a point of personal privilege.

**REMARKS OF REPRESENTATIVE OLSON**

**MR. SPEAKER:** Mr. Speaker and Members of the Assembly, yesterday at surprise ceremony in the auditorium of Cheney Middle School in West Fargo, sixth-grade science teacher Sandra Evensen was named 2017-2018 West Fargo School District teacher of the year.

Evenson has taught in West Fargo since 1991, and has taught kindergarten, first, second, forth and sixth grades during her 25 year tenure.

She has been recognized by fellow colleagues as being the best at making relationships, reaching each student at their own level and bringing out the best in everyone with a smile on her face.

As the the Professional Staff Member of the Year, Evenson will receive a crystal apple, flowers, and a \$500 check from from the WF Educational Foundation.

Commenting on this award, Superintendent David Flowers said "She was very surprised" and that "she's certainly very deserving of this award."

It is teachers like these that make it great to be a kid in the District 13's West Fargo schools, and on behalf of both Rep. Kim Koppelman and myself, I thank the speaker and the members of this assembly for allowing us a moment to recognize Sandra Evenson.

**REQUEST**

**REP. VIGESAA REQUESTED** that the remarks of Rep. Olson be printed in the Journal, which request was granted on a voice vote.

**SIXTH ORDER OF BUSINESS**

**SPEAKER BELLEW DEEMED** approval of the amendments to Engrossed SB 2176, SB 2290, SB 2295, and SB 2321.

SB 2321, as amended, was rereferred to the **Appropriations Committee**.

Engrossed SB 2176, SB 2290, and SB 2295, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**SECOND READING OF SENATE BILL**

**SB 2304:** A BILL for an Act to amend and reenact section 40-29-11 of the North Dakota Century Code, relating to payment of assessments.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Devlin; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Boe; Carlson; Delzer; Ertelt; Johnston; Koppelman, B.; Magrum; Olson; Ruby, M.; Schobinger; Simons; Streyle; Toman

SB 2304 passed.

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**SECOND READING OF SENATE BILL**

**SB 2333:** A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to reclamation requirements for land disturbed by oil and gas activity.

**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 94 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

Engrossed SB 2333 passed.

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### SECOND READING OF SENATE BILL

**SB 2175:** A BILL for an Act to amend and reenact section 53-06.1-11.1 of the North Dakota Century Code, relating to eligible uses of net proceeds by licensed gaming organizations; and to declare an emergency.

### ROLL CALL

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Schatz

Engrossed SB 2175 passed and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2152:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to public employment hiring practices and confidentiality of some applications.

### 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 61 YEAS, 32 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Damschen; Delmore; Dobervich; Dockter; Grueneich; Guggisberg; Hanson; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Kiefert; Klemin; Lefor; Louser; Maragos; Martinson; McWilliams; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Pyle; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Streyle; Trottier; Vetter; Westlind; Zubke

**NAYS:** Anderson, D.; Boe; Boschee; Brandenburg; Carlson; Delzer; Devlin; Ertelt; Hatlestad; Keiser; Kempenich; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Longmuir; Magrum; Marschall; Meier; Nelson, M.; Paur; Pollert; Porter; Rohr; Seibel; Simons; Skroch; Sukut; Toman; Vigesaa; Weisz; Speaker Bellew

**ABSENT AND NOT VOTING:** Schatz

Engrossed SB 2152, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2268:** A BILL for an Act to amend and reenact sections 24-12-04.1 and 24-12-05 of the

North Dakota Century Code, relating to injuries to highways; 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 46 YEAS, 46 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, P.; Bosch; Damschen; Delmore; Dobervich; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Johnson, D.; Johnson, M.; Johnston; Jones; Kasper; Keiser; Kiefert; Laning; Lefor; Longmuir; Maragos; Meier; Mitskog; Mock; Monson; Nathe; Nelson, M.; O'Brien; Owens; Paur; Porter; Ruby, D.; Satrom; Schneider; Schreiber-Beck; Seibel; Steiner; Sukut; Trottier; Vetter; Weisz; Westlind; Zubke

**NAYS:** Anderson, D.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Boschee; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Headland; Holman; Howe; Johnson, C.; Kading; Karls; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Louser; Magrum; Marschall; Martinson; McWilliams; Nelson, J.; Oliver; Olson; Pollert; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Schmidt; Schobinger; Simons; Skroch; Streyle; Toman; Vigesaa; Speaker Bellew

**ABSENT AND NOT VOTING:** Kempenich; Schatz

Engrossed SB 2268, as amended, failed.

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#### SECOND READING OF SENATE BILL

**SB 2278:** A BILL for an Act to amend and reenact section 24-06-31 of the North Dakota Century Code, relating to the obstruction of a highway.

#### 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 66 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Boehning; Bosch; Boschee; Damschen; Delmore; Dobervich; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Maragos; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Ruby, D.; Sanford; Satrom; Schneider; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Trottier; Vetter; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Blum; Boe; Brabandt; Brandenburg; Carlson; Delzer; Devlin; Dockter; Headland; Johnston; Kading; Koppelman, B.; Louser; Magrum; Marschall; McWilliams; Olson; Rohr; Ruby, M.; Schmidt; Schobinger; Simons; Streyle; Toman; Vigesaa; Speaker Bellew

**ABSENT AND NOT VOTING:** Schatz

SB 2278, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2125:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm or dangerous weapon; to provide a penalty; and to declare an emergency.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** McWilliams; Schatz

Engrossed SB 2125, as amended, passed and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2308:** A BILL for an Act to amend and reenact section 20.1-06-07 and subsection 3 of section 20.1-07-03.1 of the North Dakota Century Code, relating to identification of fishhouses and coyote snares.

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

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Delzer; Nelson, J.

**ABSENT AND NOT VOTING:** McWilliams; Schatz

SB 2308, as amended, passed.

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

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3028.

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

**MR. PRESIDENT:** The House has passed, unchanged: SB 2044, SB 2124, SB 2148, SB 2157, SB 2165, SB 2171, SB 2172, SB 2205.

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

**MR. PRESIDENT:** The House has passed, unchanged: SCR 4008.

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

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

SB 2178, SB 2238.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2110, SB 2188, SB 2269.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2266.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, unchanged: HB 1036, HB 1215, HB 1315, HB 1325, HCR 3002.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1159, HB 1363.

#### SENATE AMENDMENTS TO HOUSE BILL NO. 1159

Page 1, line 2, after "plates" insert "and the display of number plates on a motorcycle or trailer"

Page 1, line 12, overstrike "motorcycle, trailer, or"

Page 1, line 12, overstrike "thereof" and insert immediately thereafter "of the housetrailer. Number plates assigned to a motorcycle or trailer must be attached to the rear of the motorcycle or trailer and may be displayed vertically"

Page 1, line 19, replace "letters and numbers" with "number assigned to the vehicle and the name of the state"

Renumber accordingly

#### SENATE AMENDMENTS TO HOUSE BILL NO. 1363

Page 1, line 2, replace "subsection" with "subsections"

Page 1, line 3, after "2" insert "and 5"

Page 1, line 6, remove the second "and"

Page 1, line 7, after "administration" insert "; and to provide a penalty"

Page 2, after line 21, insert:

**"SECTION 3. AMENDMENT.** Subsection 5 of section 16.1-01-01 of the North Dakota Century Code is amended and reenacted as follows:

5. In addition to other statutory duties, the county auditor shall:
  - a. Procure and distribute supplies required for voting in the county.
  - b. Prepare and disseminate voter information as prescribed by the secretary of state.
  - c. Fully comply with the test election required of this section.
  - d. Carry out uniform training programs for all county and precinct election officials as prescribed by the secretary of state.
  - e. Provide completed reports on election matters as required by the secretary of state.
  - f. Attend, or send a designee to attend, state election conferences convened by the secretary of state.

- g. Comply with the form of the ballot as prescribed by state law and the secretary of state.
- h. Comply with the standards for voting precincts and polling locations, numbering precincts, precinct maps, maintaining and updating pollbooks, and forms and supplies, including ballots, pollbooks, and reports as established by the secretary of state.
- i. Assist with investigations initiated by the secretary of state under this section.
- j. Receive and handle complaints referred to the county auditor by any voter or precinct official involving circulation of petitions, challenges to voters, actions of election officials, or irregularities of any kind in voting. The county auditor shall refer complaints to the secretary of state or the proper prosecuting authority, as the county auditor deems appropriate.

Upon completion of the duties required by this subsection, the county auditor shall certify to the secretary of state, in the manner prescribed by the secretary of state, that the duties have been completed. A knowing violation of this subsection is an offense under section 12.1-11-06.

Renumber accordingly

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1346.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1171, HB 1192, HB 1211, HB 1380, HB 1385, HB 1409, HCR 3015, HCR 3034.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2024, SB 2131, SB 2277.

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

**MR. SPEAKER:** The President has signed: HB 1171, HB 1192, HB 1211, HB 1380, HB 1385, HB 1409, HCR 3015, HCR 3034.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2024, SB 2131, SB 2277.

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

**MR. SPEAKER:** The President has signed: SB 2024, SB 2131, SB 2277.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on March 16, 2017: HCR 3010.

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, March 17, 2017, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2161: Judiciary Committee (Rep. K. Koppelman, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2161 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 14-07.1-18 of the North Dakota Century Code, relating to domestic violence program records.

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

**SECTION 1. AMENDMENT.** Section 14-07.1-18 of the North Dakota Century Code is amended and reenacted as follows:

**14-07.1-18. Domestic violence or sexual assault program records - Confidentiality - Exceptions - Penalty.**

1. All agents, employees, and volunteers participating in a domestic violence or sexual assault program shall maintain the confidentiality of the:
  - a. Address, telephone number, and other identifying information of a ~~shelter~~, safe home, and place of emergency safe housing;
  - b. Name, address, telephone number, personally identifying information, and case file or history of any client receiving services from a domestic violence or sexual assault program; and
  - c. Name, address, telephone number, and other identifying information of an agent, employee, or volunteer providing services under a domestic violence or sexual assault program.
2. The information described in subsection 1 is not subject to section 44-04-18 and may not be disclosed unless:
  - a. A client consents to the release of information that relates only to that client or the client's dependents;
  - b. The agent, employee, or volunteer operating a domestic violence or sexual assault program determines the disclosure of the information necessary for the efficient and safe operation of a domestic violence or sexual assault program; or for the protection of the safety of an employee, agent, volunteer, or client of a domestic violence or sexual assault program; or for the protection of a third party reasonably thought to be in need of protection;
  - c. A court of competent jurisdiction orders the disclosure after an in camera review and a written finding by the court that the information directly and specifically relates to a determination of child abuse and neglect under chapter 50-25.1 or termination of parental rights under sections 14-15-19, 27-20-44, 27-20-45, 27-20-46, 27-20-47, and 27-20-48; or
  - d. An agent, employee, or volunteer working with a domestic violence or sexual assault program has knowledge or reasonable cause to suspect a child has been abused or neglected as defined by section 50-25.1-02.
3. The address, telephone number, and other identifying information of a shelter are exempt records as defined in section 44-04-17.1.
4. Any person who violates this section is guilty of an infraction."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2236: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). SB 2236 was placed on the Fourteenth order on the calendar.

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

**Buell J. Reich, Chief Clerk**