

## JOURNAL OF THE SENATE

## Sixty-fifth Legislative Assembly

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Bismarck, March 2, 2017

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

The prayer was offered by Senator Gary Lee, District 22.

The roll was called and all members were present.

A quorum was declared by the President.

## MOTION

**SEN. KLEIN MOVED** that the Senate resolve itself into a Confirmation Session, which motion prevailed.

## REPORT OF SELECT COMMITTEE

**MR. PRESIDENT:** Your **Select Committee (Sen. G. Lee, Chairman)** appointed to consider the nomination to the North Dakota Securities Commissioner, do advise and consent to the appointment of Karen Tyler.

## MOTION

**SEN. WANZEK MOVED** that the report be adopted.

## ROLL CALL

The question being, "will the Senate advise and consent to the appointment of Karen Tyler to the North Dakota Securities Commissioner," the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

The Senate advises and consents to the appointment of Karen Tyler to the North Dakota Securities Commissioner.

## REPORT OF SELECT COMMITTEE

**MR. PRESIDENT:** Your **Select Committee (Sen. G. Lee, Chairman)** appointed to consider the nomination to the Commissioner of the Department of Financial Institutions, do advise and consent to the appointment of Robert Entringer.

## MOTION

**SEN. KLEIN MOVED** that the report be adopted.

## ROLL CALL

The question being, "will the Senate advise and consent to the appointment of Robert Entringer to the Commissioner of the Department of Financial Institutions," the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

The Senate advises and consents to the appointment of Robert Entringer to the

Commissioner of the Department of Financial Institutions.

#### MOTION

**SEN. KLEIN MOVED** that the Confirmation Session be dissolved, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

**HB 1097: SEN. ANDERSON (Human Services Committee) MOVED** that the amendments on SJ page 651 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### CONSIDERATION OF AMENDMENTS

**HB 1098, as engrossed: SEN. OBAN (Education Committee) MOVED** that the amendments on SJ pages 651-652 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### CONSIDERATION OF AMENDMENTS

**HB 1116: SEN. ANDERSON (Human Services Committee) MOVED** that the amendments on SJ page 652 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1102:** A BILL for an Act amend and reenact subsections 1 and 2 of section 39-29-04 and section 39-29-12 of the North Dakota Century Code, relating to off-highway vehicle out-of-state registration; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Engrossed HB 1102 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1096:** A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the advanced practice registered nurse licensure compact; and to amend and reenact section 43-12.1-09.1 of the North Dakota Century Code, relating to criminal history record checks.

#### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

HB 1096, as amended, passed.

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#### SECOND READING OF HOUSE BILL

**HB 1110:** A BILL for an Act to create and enact section 24-02-49 of the North Dakota

Century Code, relating to cooperative agreements with private entities for the construction of certain items on the state highway system.

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

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

**NAYS:** Holmberg

HB 1110, as amended, passed.

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#### SECOND READING OF HOUSE BILL

**HB 1100:** A BILL for an Act to amend and reenact section 26.1-03.2-08 of the North Dakota Century Code, relating to confidentiality for risk-based capital reports; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Engrossed HB 1100 passed and the emergency clause was declared carried.

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#### REPORT OF STANDING COMMITTEE

**HB 1133, as engrossed: Transportation Committee (Sen. Laffen, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1133 was placed on the Fourteenth order on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1133:** A BILL for an Act to create and enact a new subsection to section 39-06.2-06 of the North Dakota Century Code, relating to the exemption of a class A commercial driver's licenseholder from the hazardous materials endorsement; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

Engrossed HB 1133 passed and the emergency clause was declared carried.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1052, HB 1106, HB 1108, HB 1119.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1111, HB 1136.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2048, SB 2092, SB 2095, SB 2103, SB 2118.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2048, SB 2092, SB 2095, SB 2103, SB 2118.

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

**MR. SPEAKER:** The President has signed: SB 2048, SB 2092, SB 2095, SB 2103, SB 2118.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, March 3, 2017, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1026, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1026 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1027, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1027 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1059: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1059 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1160, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1160 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1191: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1191 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1207: Energy and Natural Resources Committee (Sen. Unruh, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1207 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1240, as engrossed: Agriculture Committee (Sen. Luick, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1240 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1245: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends

**DO PASS** (5 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). HB 1245 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1342: Agriculture Committee (Sen. Luick, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1342 was placed on the Fourteenth order on the calendar.

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

**Shanda Morgan, Secretary**

