

JOURNAL OF THE SENATE

Sixty-fifth Legislative Assembly

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Bismarck, March 10, 2017

The Senate convened at 12:30 p.m., with President Sanford presiding.

The prayer was offered by Chaplain Colleen Ressler, St. Vincent's Care Center, Bismarck.

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

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

HB 1120, as engrossed: SEN. ANDERSON (Human Services Committee) MOVED that the amendments on SJ page 711 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1085, as reengrossed: SEN. KREUN (Human Services Committee) MOVED that the amendments on SJ pages 710-711 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1210, as engrossed: SEN. CLEMENS (Human Services Committee) MOVED that the amendments on SJ page 711 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1206, as engrossed: SEN. ANDERSON (Human Services Committee) MOVED that the amendments on SJ page 711 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 1060: A BILL for an Act to create and enact two new subdivisions to subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks requested by the department of commerce for volunteers and employees providing services through the department and by the state court administrator for guardians ad litem.

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

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

NAYS: Cook; Hogue; Larsen, O.; Unruh

ABSENT AND NOT VOTING: Holmberg

Engrossed HB 1060, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1198: A BILL for an Act to amend and reenact section 26.1-39-23 of the North Dakota

Century Code, relating to property and casualty insurance binders.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; 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

ABSENT AND NOT VOTING: Holmberg

Engrossed HB 1198, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1283: A BILL for an Act to amend and reenact section 15.1-21-02.6 of the North Dakota Century Code, relating to eligibility for North Dakota scholarships.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; 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

ABSENT AND NOT VOTING: Holmberg

Engrossed HB 1283, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1228: A BILL for an Act to create and enact sections 59-04.2-03.1 and 59-09-04.1, chapter 59-10.1, section 59-14-05, and chapters 59-16.1, 59-16.2, and 59-16.3 of the North Dakota Century Code, relating to actions to contest the validity of a trust, trust decanting, and directed trustees; to amend and reenact sections 47-02-27.4, 59-04.2-03, and 59-16-13 of the North Dakota Century Code, relating to exclusions from the rule against perpetuities and a trustee's duty to inform; to repeal sections 59-14-01, 59-14-04, and 59-16-08 of the North Dakota Century Code, relating to the capacity of a settlor of a revocable trust, actions contesting the validity of a trust, and powers to direct a trustee; and to provide for retroactive application.

ROLL CALL

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

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

NAYS: Cook; Mathern

ABSENT AND NOT VOTING: Holmberg

Engrossed HB 1228 passed.

SECOND READING OF HOUSE BILL

HB 1139: A BILL for an Act to create and enact a new section to chapter 51-19 of the North Dakota Century Code, relating to joint employer liability protection.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; 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; Meyer; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

NAYS: Mathern

ABSENT AND NOT VOTING: Holmberg

HB 1139 passed.

SECOND READING OF HOUSE BILL

HB 1296: A BILL for an Act to amend and reenact section 52-04-01.1 of the North Dakota Century Code, relating to electronic filing of employer unemployment contribution and wage reports; 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 PASS, the roll was called and there were 28 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Armstrong; Bekkedahl; Burckhard; Campbell; Casper; Davison; Dotzenrod; Erbele; Heckaman; Kilzer; Klein; Krebsbach; Kreun; Larson, D.; Lee, J.; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Osland; Poolman; Robinson; Roers; Rust; Wanzek; Wardner

NAYS: Anderson; Bowman; Clemens; Cook; Dever; Grabinger; Hogue; Kannianen; Laffen; Larsen, O.; Lee, G.; Luick; Nelson; Piepkorn; Schaible; Sorvaag; Unruh; Vedaa

ABSENT AND NOT VOTING: Holmberg

HB 1296 passed.

SECOND READING OF HOUSE BILL

HB 1035: A BILL for an Act to amend and reenact sections 43-28.1-07 and 43-28.1-08 of the North Dakota Century Code, relating to the dentist loan repayment program; to repeal section 43-28.1-06 of the North Dakota Century Code, relating to breach of the dentist loan repayment program; and to provide for application.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS,

0 EXCUSED, 1 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

ABSENT AND NOT VOTING: Holmberg

HB 1035 passed.

SECOND READING OF HOUSE BILL

HB 1196: A BILL for an Act to amend and reenact section 52-04-22 of the North Dakota Century Code, relating to the unemployment insurance federal advance interest repayment fund; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; 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: Larsen, O.

ABSENT AND NOT VOTING: Holmberg

HB 1196 passed.

SECOND READING OF HOUSE BILL

HB 1382: A BILL for an Act to provide for a legislative management study of the feasibility and desirability of developing a school choice program.

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

YEAS: Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Dever; Hogue; Kilzer; Larsen, O.; Larson, D.; Luick; Myrdal; Wanzek

NAYS: Anderson; Armstrong; Campbell; Davison; Dotzenrod; Erbele; Grabinger; Heckaman; Kannianen; Klein; Krebsbach; Kreun; Laffen; Lee, G.; Lee, J.; Marcellais; Mathern; Meyer; Nelson; Oban; Oehlke; Osland; Piepkorn; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wardner

ABSENT AND NOT VOTING: Holmberg

Engrossed HB 1382 failed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3003: A concurrent resolution requesting the Legislative Management to consider

studying the impact of Marsy's Law on the statutorily provided rights of crime victims and those alleged to have committed crimes, and the criminal procedures relating to the rights of victims and criminal defendants.

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

HCR 3003 was declared adopted on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3010: A concurrent resolution recognizing the efforts undertaken and the continued need for the State of North Dakota and the entire United States to undertake responsible measures to harden our commercial electrical grid against multiple serious threats.

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

HCR 3010 was declared adopted on a voice vote.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1147, HB 1302, HB 1314, HB 1356, HB 1358.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1043, HB 1058, HB 1156.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1345.

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

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1337, HB 1420.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2089, SB 2133, SB 2159, SB 2213.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2247.

HOUSE AMENDMENTS TO SENATE BILL NO. 2247

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-01-09 of the North Dakota Century Code, relating to prohibiting parking meters.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-01-09 of the North Dakota Century Code is amended and reenacted as follows:

39-01-09. Parking meters prohibited - Exemption.

1. It is unlawful for the state of North Dakota, its political subdivisions, ~~counties, cities,~~ and the state department of transportation to establish and maintain any mechanical device or devices known as "parking meters", or by whatever name designated, ~~requiring the deposit therein of coins or tokens~~ for the privilege of parking cars or other vehicles upon the streets and highways in the state of North Dakota. ~~Any and all~~

~~ordinances and resolutions now existing authorizing the establishment and maintenance of such mechanical devices or parking meters, or by whatever name designated, are hereby declared null and void.~~

2. Notwithstanding subsection 1, if approved by a majority of the voters of the jurisdiction voting on the question at a general election, a political subdivision or an agency, department, or institution of the state may approve the use of parking meters."

Renumber accordingly

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

MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2265, SB 2341.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2031, SB 2050, SB 2101, SB 2173, SB 2309.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1157, HB 1218, HB 1226, HB 1231, HB 1239, HB 1270, HB 1359, HCR 3001.

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

MR. PRESIDENT: The Speaker has signed: SB 2031, SB 2050, SB 2101, SB 2173, SB 2309.

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

MR. SPEAKER: The President has signed: SB 2031, SB 2050, SB 2101, SB 2173, SB 2309.

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

MR. SPEAKER: The President has signed: HB 1157, HB 1218, HB 1226, HB 1231, HB 1239, HB 1270, HB 1359, HCR 3001.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 10, 2017: SB 2051, SB 2097, SB 2102, SB 2104, SB 2106, SB 2120, SB 2185, SB 2284, SB 2299, SB 2312, SB 2318, SB 2324.

MOTION

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

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, March 13, 2017, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1048: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1048 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1049: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1049 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1090, as engrossed: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1090 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on page 638 of the Senate Journal, Engrossed House

Bill No. 1090 is amended as follows:

Page 1, line 13, remove "electronic"

Page 1, line 13, remove the overstrike over "~~by-certified~~"

Page 1, line 14, remove the overstrike over "~~mail~~" and insert immediately thereafter "or"

Page 2, line 11, overstrike "or proposals"

Page 2, line 11, overstrike "a request for"

Page 2, line 16, replace "an award is made" with "a notice of intent to award is issued"

Page 2, line 16, after the period insert:

"c."

Page 4, line 14, after the underscored period insert "Records naming private businesses from which salary information is collected are open."

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1148: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1148 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1149: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1149 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "one hundred" with "two hundred"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1163, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1163 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "chapter 12.1-30" with "sections 12.1-30-01, 12.1-30-02, and 12.1-30-03"

Page 1, line 4, replace "Chapter 12.1-30" with "Sections 12.1-30-01, 12.1-30-02, and 12.1-30-03"

Page 1, line 4, replace "is" with "are"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1173, as engrossed: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1173 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1175: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1175 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1187, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1187 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1211: Transportation Committee (Sen. Laffen, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1211 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1217: Transportation Committee (Sen. Laffen, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1217 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1219, as engrossed: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1219 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1234: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1234 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1250, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1250 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1251, as engrossed: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1251 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "study" with "consider studying"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1280: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1280 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1286, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1286 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1306, as reengrossed: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1306 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1316: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1316 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1346: Transportation Committee (Sen. Laffen, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1346 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1351, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1351 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1352, as engrossed: Transportation Committee (Sen. Laffen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1352 was placed on the Sixth order on the calendar.

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

Page 1, line 2, remove ", and 47-30.1-23"

Page 1, line 3, remove "and deposit of funds; to provide for a continuing"

Page 1, line 4, remove "appropriation"

Page 2, line 1, overstrike "permanent school" and insert immediately thereafter "common schools trust"

Page 5, line 5, overstrike "From the proceeds of the sale of an abandoned motor vehicle, the unit of government"

Page 5, overstrike lines 6 through 10

Page 5, line 11, overstrike "the"

Page 5, line 11, remove "common schools trust"

Page 5, line 11, overstrike "fund."

Page 5, line 12, remove "3."

Page 5, line 19, replace "4." with "3."

Page 5, line 19, after the underscored comma insert "the unit of government or"

Page 5, remove lines 26 through 30

Page 6, remove lines 1 through 16

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1357: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1357 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1362: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1362 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1367, as engrossed: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1367 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and"

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

Page 3, after line 19, insert:

"8. An individual who violates subdivision c of subsection 7 is guilty of a class 2 noncriminal offense."

Page 4, after line 22, insert:

"**SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1409, as engrossed: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1409 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3015, as engrossed: Agriculture Committee (Sen. Luick, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3015 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3020, as engrossed: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3020 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3021: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3021 was placed on the Sixth order on the calendar.

Page 1, line 5, remove "and"

Page 1, line 5, after "Unit" insert ". and to allow the continuation of the Garrison Diversion project canal system to aid the delivery of water to the Red River Valley"

Page 2, line 9, after the semicolon insert: "and

WHEREAS, the United States Bureau of Reclamation and the Garrison Diversion Conservancy District completed an environmental impact statement evaluating eight alternatives for supplying the Red River Valley with water in 2005, supplemented the statement in January 2007, and completed a final environmental impact statement in December 2007; and

WHEREAS, the federal government and the state both selected the Garrison Diversion Unit import to the Sheyenne River as the best alternative for the project, taking into consideration water permitting, environmental impacts, and technical, hydrologic, and design evaluations; and

WHEREAS, the Bureau of Reclamation sent a comprehensive report of the Garrison Diversion Unit to Congress in 2008;"

Page 2, line 16, remove "and"

Page 2, line 17, after "Unit" insert ". and to allow the continuation of the Garrison Diversion project canal system to aid the delivery of water to the Red River Valley"

Page 2, line 18, after "District" insert "and State Water Commission"

Renumber accordingly

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

Shanda Morgan, Secretary

