

JOURNAL OF THE SENATE

Sixty-fifth Legislative Assembly

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Bismarck, March 13, 2017

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

The prayer was offered by Reverend Thomas R. Marcis, Jr., Zion Lutheran Church, Bismarck.

The roll was called and all members were present except Senators Hogue and Sorvaag.

A quorum was declared by the President.

POINT OF PERSONAL PRIVILEGE

SEN. BURCKHARD rose on a point of personal privilege.

REMARKS OF SENATOR BURCKHARD

MR. PRESIDENT: The title of this floor speech is "There's Been Another Three-Peat". As coach Dean Winczewski, the Minot High Magicians basketball coach, said "there are no ugly wins at tournament time" and the team "showed a lot of moxie battling back" as the Magicians trailed at halftime in all three games played in the Boys State Class A Basketball Tournament this past weekend in Bismarck.

The Minot coach would often tell his players, "it's not how you start, but how you finish a basketball game". As Alex Eisen, a sports writer for the Minot Daily News, said "A Magician doesn't rely on luck to dazzle an audience, but rather practice and preparation".

Mr. President, there hasn't been a three-peat in Boys Class A Basketball in 58 years, not since Bismarck Central did it in 1957-1959. Mr. President, you may recall the Bishop Ryan Lions Girls Class B Basketball team pulled off a three-peat in 2013-2015 by winning 83 games in a row. They are from Minot as well.

Mr. President, basketball is a team sport for sure, but two players for Minot High, KyJuan Johnson and Justin Engg, played on all three championship teams. The MHS Magic City campus is located right in the heart of District 5 in Minot. Thousands of fans and I from Magic Town are as proud as we can be of our Magician basketball team. The Boys Class B State Basketball Tournament is in Minot this coming weekend.

I'll conclude this privilege, Mr. President, by saying its good to be from Minot, because "Magic Town is still Title town".

MOTION

SEN. KLEIN MOVED that the remarks of Sen. Burckhard be printed in the Journal, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1367, as engrossed: SEN. ARMSTRONG (Energy and Natural Resources Committee) MOVED that the amendments on SJ pages 725-726 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1090, as engrossed: SEN. MEYER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 722-723 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1251, as engrossed: SEN. VEDAA (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 724 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1163, as engrossed: SEN. DOTZENROD (Political Subdivisions Committee) MOVED that the amendments on SJ page 723 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a verification vote.

CONSIDERATION OF AMENDMENTS

HB 1149: SEN. DAVISON (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 723 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1352, as engrossed: SEN. NELSON (Transportation Committee) MOVED that the amendments on SJ page 725 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

MOTION

SEN. KLEIN MOVED that after action taken on the Sixth order, HCR 3021 be placed on the Fourteenth order for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HCR 3021: SEN. KREUN (Energy and Natural Resources Committee) MOVED that the amendments on SJ page 726 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3021: A concurrent resolution urging Congress and the President of the United States to fulfill the federal government's promises to North Dakota, allow the utilization of the Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water supply for eastern and central North Dakota, irrigation, and for all other authorized project purposes, not deauthorize or repurpose any part of the Garrison Diversion Unit, and to allow the continuation of the Garrison Diversion project canal system to aid the delivery of water to the Red River Valley.

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

HCR 3021, as amended, was declared adopted on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3020: A concurrent resolution urging Congress and the President of the United States to allow the continuation of the Garrison Diversion project canal system to aid in the delivery of water to the Red River Valley.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of **DO NOT PASS**.

Engrossed HCR 3020 was declared lost on a voice vote.

SECOND READING OF HOUSE BILL

HB 1206: A BILL for an Act to amend and reenact subsection 13 of section 14-15-01 and sections 14-15.1-01 and 14-15.1-04 of the North Dakota Century Code, relating to the investigation and report by a child-placing agency and the definition of relative.

MOTION

SEN. OBAN MOVED that Engrossed HB 1206, as amended, be amended as follows, which motion prevailed on a voice vote.

In addition to the amendments adopted by the Senate as printed on page 711 of the Senate Journal, Engrossed House Bill No. 1206 is further amended as follows:

Page 1, line 3, after "relative" insert "; and to provide for a legislative management study"

Page 3, after line 9, insert:

"SECTION 4. LEGISLATIVE MANAGEMENT STUDY - ADOPTION. During the 2017-18 interim, the legislative management shall consider studying adoption by an identified or an unidentified adoptive parent. The study must include an evaluation and a comparison of the adoptive process and procedure, expenses, duration, and state tax credits and deductions associated with adoption by an identified or an unidentified adoptive parent. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

HB 1206: A BILL for an Act to amend and reenact subsection 13 of section 14-15-01 and sections 14-15.1-01 and 14-15.1-04 of the North Dakota Century Code, relating to the investigation and report by a child-placing agency and the definition of relative; and to provide for a legislative management 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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Clemens; Kilzer; Kreun

ABSENT AND NOT VOTING: Hogue; Sorvaag

Engrossed HB 1206, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1210: A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to a cardiac ready community grant program; and to provide a continuing appropriation.

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; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

Engrossed HB 1210, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1085: A BILL for an Act to create and enact a new section to chapter 50-06.4 of the North Dakota Century Code, relating to the creation of a brain injury advisory council; and to provide for application.

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; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

Reengrossed HB 1085, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1148: A BILL for an Act to amend and reenact sections 54-52-01, 54-52-02.1, and 54-52-06.3 and subsections 3 and 4 of section 54-52-17 of the North Dakota Century Code, relating to a public employee retirement plan for firefighters.

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; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1148 passed.

SECOND READING OF HOUSE BILL

HB 1173: A BILL for an Act to amend and reenact section 54-35-02.2 of the North Dakota Century Code, relating to the powers and duties of the legislative audit and fiscal review committee.

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 30 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Armstrong; Bekkedahl; Bowman; Burckhard; Casper; Clemens; Cook; Davison; Dever; Erbele; Holmberg; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larson, D.; Luick; Marcellais; Meyer; Myrdal; Osland; Poolman; Roers; Rust; Schaible; Unruh; Vedaa; Wanzek; Wardner

NAYS: Anderson; Campbell; Dotzenrod; Grabinger; Heckaman; Kannianen; Larsen, O.; Lee, G.; Lee, J.; Mathern; Nelson; Oban; Oehlke; Piepkorn; Robinson

ABSENT AND NOT VOTING: Hogue; Sorvaag

Engrossed HB 1173 passed.

SECOND READING OF HOUSE BILL

HB 1316: A BILL for an Act to amend and reenact subsection 5 of section 44-06.1-01, section 44-06.1-17, subsections 5 and 9 of section 44-06.1-20, subsection 2 of section 44-06.1-21, subsections 6, 7, and 8 of section 44-06.1-23, and section 44-06.1-27 of the North Dakota Century Code, relating to notarial acts, notary commissions, and notary public name and address changes.

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

YEAS: Anderson; Bekkedahl; Bowman; Burckhard; Campbell; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

NAYS: Armstrong; Casper

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1316 passed.

SECOND READING OF HOUSE BILL

HB 1286: A BILL for an Act to amend and reenact section 26.1-29-09.1 of the North Dakota Century Code, relating to insurable interests in personal insurance.

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

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

NAYS: Oehlke

ABSENT AND NOT VOTING: Hogue; Sorvaag

Engrossed HB 1286 passed.

SECOND READING OF HOUSE BILL

HB 1120: A BILL for an Act to amend and reenact subsection 3 of section 50-24.6-04 of the North Dakota Century Code, relating to the prior authorization program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 34 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Cook; Dotzenrod; Erbele; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; Larsen, O.; Larson, D.; Lee, G.; Lee, J.; Luick; Marcellais; Meyer; Myrdal; Nelson; Osland; Piepkorn; Roers; Rust; Schaible; Vedaa; Wanzek; Wardner

NAYS: Clemens; Davison; Dever; Grabinger; Heckaman; Mathern; Oban; Oehlke; Poolman; Robinson; Unruh

ABSENT AND NOT VOTING: Hogue; Sorvaag

Engrossed HB 1120, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1357: A BILL for an Act to provide for a legislative management study regarding the effects of placing limits on school district levies on the equitable application of the education funding formula.

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

NAYS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1357 failed.

SECOND READING OF HOUSE BILL

HB 1219: A BILL for an Act to amend and reenact subsection 9 of section 39-05-22, section 47-01-03, and subsections 1, 7, and 8 of section 47-10-27 of the North Dakota Century Code, relating to the process for converting manufactured housing to real property.

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; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

Engrossed HB 1219 passed.

SECOND READING OF HOUSE BILL

HB 1362: A BILL for an Act to amend and reenact subsection 2 of section 16.1-08.1-03.1 and subsection 1 of section 16.1-08.1-06 of the North Dakota Century Code, relating to campaign finance.

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; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1362 passed.

SECOND READING OF HOUSE BILL

HB 1187: A BILL for an Act to amend and reenact section 25-17-03 of the North Dakota Century Code, relating to the medical food program for phenylketonuria or maple syrup urine disease.

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

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

NAYS: Kreun; Lee, G.; Unruh

ABSENT AND NOT VOTING: Hogue; Sorvaag

Engrossed HB 1187 passed.

SECOND READING OF HOUSE BILL

HB 1048: A BILL for an Act to amend and reenact section 10-33-124 of the North Dakota Century Code, relating to the certified nonprofit development corporation investment tax credit; to repeal section 57-38-01.17 of the North Dakota Century Code, relating to the certified nonprofit development corporation 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 PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1048 passed.

SECOND READING OF HOUSE BILL

HB 1049: A BILL for an Act to amend and reenact subsection 3 of section 54-35-26 of the North Dakota Century Code, relating to the list of economic development tax

incentives subject to regular review; to repeal section 57-38-30.1 of the North Dakota Century Code, relating to the wage and salary 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 PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1049 passed.

SECOND READING OF HOUSE BILL

HB 1306: A BILL for an Act to amend and reenact section 43-23-02 of the North Dakota Century Code, relating to the real estate commission; 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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bekkedahl; Laffen; Unruh

ABSENT AND NOT VOTING: Hogue; Sorvaag

Reengrossed HB 1306 passed.

SECOND READING OF HOUSE BILL

HB 1234: A BILL for an Act to create and enact section 16.1-8.1-03.15 of the North Dakota Century Code, relating to prohibiting campaign contributions from and expenditures by foreign nationals.

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; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1234 passed.

SECOND READING OF HOUSE BILL

HB 1217: A BILL for an Act to amend and reenact sections 2-05-11 and 2-05-11.3 of the North Dakota Century Code, relating to aircraft registration.

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

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Holmberg; 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; Unruh; Vedaa; Wanzek; Wardner

NAYS: Larsen, O.

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1217 passed.

SECOND READING OF HOUSE BILL

HB 1351: A BILL for an Act to amend and reenact section 57-15-01 of the North Dakota Century Code, relating to approval of special assessment projects by elected governing bodies; 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 0 YEAS, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

NAYS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

Engrossed HB 1351 failed.

SECOND READING OF HOUSE BILL

HB 1175: A BILL for an Act to amend and reenact section 21-10-01 of the North Dakota Century Code, relating to the membership of the state investment board.

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: Armstrong; Casper; Davison; Dever; Klein; Laffen; Lee, G.; Meyer; Poolman; Schaible; Unruh; Vedaa; Wanzek; Wardner

NAYS: Anderson; Bekkedahl; Bowman; Burckhard; Campbell; Clemens; Cook; Dotzenrod; Erbele; Grabinger; Heckaman; Holmberg; Kannianen; Kilzer; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee, J.; Luick; Marcellais; Mathern; Myrdal; Nelson; Oban; Oehlke; Osland; Piepkorn; Robinson; Roers; Rust

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1175 failed.

SECOND READING OF HOUSE BILL

HB 1250: A BILL for an Act to amend and reenact section 11-18-02.2 and paragraph 8 of subdivision a of subsection 3 of section 47-10-27 of the North Dakota Century Code, relating to property sales price disclosures; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

Engrossed HB 1250 passed.

SECOND READING OF HOUSE BILL

HB 1280: A BILL for an Act to amend and reenact section 46-04-05 of the North Dakota Century Code, relating to distribution of session laws and codes.

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; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; 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; Unruh; Vedaa; Wanzek; Wardner

ABSENT AND NOT VOTING: Hogue; Sorvaag

HB 1280 passed.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1035, HB 1139, HB 1196, HB 1228, HB 1296, HCR 3003, HCR 3010.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1060, HB 1198, HB 1283.

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

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1382.

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 3034.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2032, SB 2182, SB 2214, SB 2267, SB 2310.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2289.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2198.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2115, SB 2116, SB 2197.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2115

Page 2, line 3, after "advocate" insert "with autism spectrum disorder"

Re-number accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2116

Page 2, line 2, remove "deemed"

Page 2, line 2, remove ", by the department or the department's authorized agent,"

Page 2, line 3, after the period insert "The department, or the department's authorized agent, shall limit the request for records to the minimum amount of records necessary to enable a determination to be made or to support a determination of whether services are required to provide for the protection and treatment of an abused or neglected child."

Re-number accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2197

Page 1, line 13, after the underscored period insert "The first publication must be made at least fifteen days before the day set for the opening of the bids."

Page 1, line 22, after the period insert "The first publication must be made at least fifteen days before the day set for the opening of the bids."

Re-number accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2032, SB 2182, SB 2198, SB 2214, SB 2267, SB 2310.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2089, SB 2133, SB 2159, SB 2213.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1147, HB 1302, HB 1314, HB 1356, HB 1358.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2032, SB 2182, SB 2198, SB 2214, SB 2267, SB 2310.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2089, SB 2133, SB 2159, SB 2213.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2032, SB 2182, SB 2198, SB 2214, SB 2267, SB 2310.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: SB 2089, SB 2133, SB 2159, SB 2213.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1147, HB 1302, HB 1314, HB 1356, HB 1358.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1147, HB 1302, HB 1314, HB 1356, HB 1358.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker 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 13, 2017: SB 2031, SB 2050, SB 2101, SB 2173, SB 2309.

MOTION

SEN. KLEIN MOVED that the absent members 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., Tuesday, March 14, 2017, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1171: Education Committee (Sen. Schaible, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1171 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1192: Education Committee (Sen. Schaible, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1192 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1363: 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 1363 was placed on the Sixth order on the calendar.

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

REPORT OF STANDING COMMITTEE

HB 1380, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1380 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1384: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1384 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1385: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1385 was placed on the Fourteenth order on the calendar.

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

Shanda Morgan, Secretary

