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

The prayer was offered by Pastor Daniel Haveman, Open Door Baptist Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

**POINT OF PERSONAL PRIVILEGE**

**SEN. POOLMAN** rose on a point of personal privilege.

**REMARKS OF SENATOR POOLMAN**

**MR. PRESIDENT:** Today we congratulate the Bismarck Legacy High Girls Basketball team for winning the 2017 State Championship title.

Making their first appearance in a state championship game, the Sabers knocked off three-time defending State Champion, Fargo Shanley, 52-50 on Saturday night at the Bismarck Event Center. It is the first state title for Legacy High, a new high school in the heart of District 7.

We also want to congratulate Bismarck Century High School on their many state titles this year. The Century Patriots have earned 2016-2017 State Titles in girls and boys swimming and diving, volleyball, boys cross country, football, and girls hockey with the Bismarck Blizzard.

Congratulations to the Legacy Sabers and the Century Patriots on their success.

**MOTION**

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

**CONSIDERATION OF AMENDMENTS**

**HB 1323, as engrossed:** **SEN. RUST** (Transportation Committee) MOVED that the amendments on SJ page 760 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1134, as engrossed:** **SEN. HECKAMAN** (Human Services Committee) MOVED that the amendments on SJ page 759 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed on a voice vote.

**CONSIDERATION OF AMENDMENTS**

**HB 1195, as engrossed:** **SEN. D. LARSON** (Judiciary Committee) MOVED that the amendments on SJ pages 759-760 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, HB 1159 be placed on the Fourteenth order for immediate second reading and final passage, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1159:** **SEN. CLEMENS** (Transportation Committee) MOVED that the amendments on SJ page 759 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 1159: A BILL for an Act to amend and reenact section 39-04-11 of the North Dakota Century Code, relating to clearly displaying letters and numbers on motor vehicle plates and the display of number plates on a motorcycle or trailer.

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 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Davison; Dever; Dotzenrod; 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; Poolman; Robinson; Roers; Rust; Schaible; Sorvaag; Unruh; Vedaa; Wanzek; Wardner

NAYS: Cook; Erbele; Piepkorn

HB 1159, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1346: A BILL for an Act to amend and reenact section 39-04-11 of the North Dakota Century Code, relating to the display of number plates on a motorcycle.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 3 YEAS, 44 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bekkedahl; Larsen, O.; Mathern

NAYS: Anderson; Armstrong; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kannianen; Kilzer; Klein; Krebsbach; Kreun; Laffen; 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

HB 1346 failed.

MOTION

SEN. KLEIN MOVED that a committee of two be appointed to escort Miss North Dakota 2016, Macy Christianson, to the podium, which motion prevailed.

PRESIDENT SANFORD APPOINTED Senators Grabinger and Hogue to the escort committee.

REMARKS OF MACY CHRISTIANSON, MISS NORTH DAKOTA 2016
MARCH 15, 2017

MR. PRESIDENT: I'm Macy Christianson, Miss North Dakota 2016 and I'm a title-holder with the Miss America Organization. To give a brief summary, it is a scholarship-based organization that is one of the nation's leading achievement programs for young women. As Miss North Dakota, I support both a national and personal platform. The national platform of Miss America is Children's Miracle Network and in fact I just got back from running my very first half-marathon in support of CMN.

My personal platform on the other hand is something of my choosing and it's "You Decide the Road Ahead: Don't Drink and Drive." With this I work to not only prevent drinking and driving, but also promote positive decision making especially in North Dakota's young population. I chose this platform because I was able to see first hand how drinking and"
driving affected my family and community when my older brother made the decision to drink and drive. Through this, I've also had the chance to work with other families that have been impacted by this decision and I've found that while I'm working to impact others, they're impacting me. I've been aiming to spread this across our state through my school tour and any opportunities I'm given to share this message.

The school tour is the biggest and arguably the most important part of my job. I travel this state to various schools and speak on the importance of our decisions. It has been the most fulfilling part of being Miss North Dakota thus far. I love that I’m able to reach some of these students before they’re put in harmful situations and hopefully deter them from taking part in things they know are wrong. I’ve spoken to thousands of students this year and I can only hope that I’m making a difference in their lives and a difference in this state.

Now that I’ve given you an idea about what I do, I want to talk a little about what you all do. First off, I want to say how proud I am to be from a state where we are keeping important issues in mind and always trying to move in the right direction. I understand that just yesterday there was a hearing for a bill about drinking and driving and there’s several others in regards to high-risk alcohol use as well. These are very important issues, especially in our state. That’s why it’s imperative that we keep these issues in the light and constantly work to fix the problem and I have you all to thank for that. Please continue to listen to these issues not only in regards to drinking and driving, but addiction and alcohol related problems as well.

One aspect that I love in particular about being a title-holder is that I represent such an amazing organization, yet I’m still an individual that can stand for things I’m passionate about and that matter to me. I have immense respect for our state for having taken a stand for what I believe is right in regards to abortion. I’ve had people tell me that North Dakota against women and our rights and I have to disagree because not only do we support our women, we also support those women that are unborn that can’t speak for themselves. I’m so grateful with this that I can say I’m Miss North Dakota. Just the fact that I can stand here today and have a voice makes me extremely grateful.

A lot of what the Miss North Dakota Organization does is give young women a platform to stand on in their communities. In order to have the chance to compete at the state pageant, girls have to first win a local title. This year we have 25 talented and intelligent young women competing for the job of Miss North Dakota in hopes of getting the opportunities I’ve been given. Getting the chance to represent this state at Miss America is a huge honor, but as an organization we understand that it’s so much more than just a competition. It’s about the lives and people we’re able to impact and the change we can initiate. Thank you for this opportunity to talk about issues important to me and I hope that you can continue your efforts in serving the state that I’m so proud to be a part of.

MOTION
SEN. KLEIN MOVED that the remarks of Miss North Dakota 2016, Macy Christianson, be printed in the Journal, which motion prevailed.

SECOND READING OF HOUSE BILL
HB 1363: A BILL for an Act to create and enact subsection 3 of section 16.1-04-01 of the North Dakota Century Code, relating to election precincts; to amend and reenact sections 1-08-09, subsections 2 and 5 of section 16.1-01-01, sections 16.1-04-02 and 16.1-05-01, subsections 3 of 16.1-05-07, section 16.1-05-08, subsection 2 of 16.1-06-16, and sections 16.1-07-15, 16.1-10-06, 16.1-11-20, 40-02-10, 44-02-05, 44-02-07, and 44-02-08 of the North Dakota Century Code, relating to election polling places and filling vacancies in elective offices; to repeal section 16.1-04-03 of the North Dakota Century Code, relating to election administration; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Casper; Clemens; Cook; Davison; Dever; Dolzenrod; 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 1363, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1215: A BILL for an Act to amend and reenact subsection 1 of section 23-09.3-01 of the North Dakota Century Code, relating to the definition of basic care facility.

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

HB 1215 passed.

SECOND READING OF HOUSE BILL

HB 1315: A BILL for an Act to amend and reenact section 50-24.4-17 of the North Dakota Century Code, relating to adjustments of nursing home rates.

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

HB 1315 passed.

MOTION

SEN. KLEIN MOVED that Engrossed HB 1038 be rereferred to the Appropriations Committee, which motion prevailed. Pursuant to Sen. Klein's motion, Engrossed HB 1038 was rereferred.

SECOND READING OF HOUSE BILL

HB 1325: A BILL for an Act to amend and reenact section 14-05-24 of the North Dakota Century Code, relating to the valuation date of property in a divorce.

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.;
SECOND READING OF HOUSE BILL
HB 1036: A BILL for an Act to repeal section 15-62.4-04 of the North Dakota Century Code, relating to the student financial assistance program advisory board.

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

HB 1036 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION
HCR 3002: A concurrent resolution requesting the Legislative Management to consider studying the operation, management, conditions, standards, and supervision of city, county, and regional correctional facilities and other potential means to improve the rehabilitative function of city, county, and regional correctional facilities and a possible transition of the supervision of city, county, and regional correctional facilities from the Department of Corrections and Rehabilitation to the Attorney General.

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

Engrossed HCR 3002 was declared adopted on a voice vote.
MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2024.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2052, SB 2094, SB 2212, SB 2230, SB 2283.

HOUSE AMENDMENTS TO SENATE BILL NO. 2052
Page 2, line 19, remove "which is the same as the coverage for health services"
Page 2, line 20, remove "delivered by in-person means"
Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2094
Page 4, line 30, overstrike "five hundred" and insert immediately thereafter "one thousand"
Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2212
Page 1, line 1, remove "section 6-02-02,"
Page 1, line 1, remove the second comma
Page 1, line 2, replace "6-05-01" with "6-05-06"
Page 1, remove lines 5 through 15
Page 1, line 19, overstrike "a majority" and insert immediately thereafter "at least two-thirds"
Page 1, line 19, overstrike "residents" and insert immediately thereafter "citizens"
Page 1, line 20, overstrike "state of North Dakota"
Page 1, line 20, remove "or reside within one hundred miles of the main office of the"
Page 1, line 21, replace "association's banking facility" with "United States"
Page 2, remove lines 3 through 31
Page 3, replace lines 1 through 9 with:

"SECTION 2. AMENDMENT. Section 6-05-06 of the North Dakota Century Code is amended and reenacted as follows:

6-05-06. Directors - Qualifications - Terms - Vacancies.

All the corporate powers of such a corporation must be exercised by a board of directors of not less than three nor more than twenty-five in number, and such officers and agents as it elects or appoints. A majority of at least two-thirds of the directors must be citizens of this state of the United States. Any director who becomes in any manner disqualified shall vacate that director's office thereupon. Every director, when elected or appointed, shall take the oath specified in section 6-03-04. Such oath, subscribed by the director making it and certified by the officer before whom it was taken, must be transmitted at once to the commissioner to be filed in the commissioner's office. The articles of incorporation must state the names and residences of the first board of directors, of whom the first named one-third shall serve for a period of three years, the second one-third named for a period of two years, and the balance thereof shall serve for a period of one year from the date fixed for the commencement of such corporation. In case any of the persons so named shall fail or refuse to qualify from any cause, the directors who qualify must
elect qualified persons to fill such vacancies, and thereafter, at each annual meeting of the stockholders, directors must be elected to serve three years in place of those whose terms then expire."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2230**

Page 1, line 1, remove "providing an income tax"

Page 1, line 2, remove "credit for premiums for"

Page 1, line 4, after "STUDY" insert "- HYBRID LONG-TERM CARE PARTNERSHIP PLAN INSURANCE COVERAGE"

Page 1, line 7, after "coverage" insert "and the feasibility and desirability of incentivizing asset protection that may be equal to the amount paid out by the hybrid long-term care partnership plan"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2283**

Page 1, line 1, remove "subsection to"

Page 1, line 1, replace "57-01-02" with "to chapter 57-01"

Page 1, replace lines 5 through 9 with:

"SECTION 1. A new section to chapter 57-01 of the North Dakota Century Code is created and enacted as follows:

**Tax incentives - State and local tax clearance.**

1. A person may not claim a state or local tax incentive identified in section 54-35-26, unless the person has satisfied all state and local tax obligations and tax liens of record for taxes owed to the state or a political subdivision.

2. A person claiming a state tax incentive shall attach to the return or other filing schedule on which the tax incentive is claimed, a property tax clearance record from each county in which the person has a fifty percent or more ownership interest in the property.

3. A city or county may not grant a local tax incentive unless the person requesting the tax incentive is not delinquent on any property taxes and the person provides a state tax clearance record. A property tax clearance is required for property in which the person has a fifty percent or more ownership interest.

4. If a tax incentive applicant or claimant is a corporation or pass-through entity, any of the corporation's or pass-through entity's officers, governors, managing members, or partners charged with the responsibility for filing and paying property, income, income withholding, sales, or use tax are subject to the provisions of subsections 2 and 3.

5. If a person fails to comply with this section, the tax commissioner shall disallow that person's state tax exemption or credit claimed under any law authorizing the tax commissioner to audit and assess the additional tax due."

Page 1, line 10, after "incentives" insert "claimed or"

Renumber accordingly
MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2117.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2117
Page 1, line 11, overstrike "The" and insert immediately thereafter "In accordance with section 12-60-24, the"
Page 3, line 4, remove "or to the"
Page 3, line 5, remove "department's authorized agent"
Page 3, line 16, replace "thirty dollars" with "the actual cost"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SB 2281.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1048, HB 1049, HB 1148, HB 1173, HB 1187, HB 1217, HB 1219, HB 1234, HB 1250, HB 1280, HB 1286, HB 1306, HB 1316, HB 1362.

MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)
MR. SPEAKER: The President has signed: HB 1048, HB 1049, HB 1148, HB 1173, HB 1187, HB 1217, HB 1219, HB 1234, HB 1250, HB 1280, HB 1286, HB 1306, HB 1316, HB 1362.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1035, HB 1139, HB 1196, HB 1228, HB 1296, HCR 3003, HCR 3010.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1048, HB 1049, HB 1148, HB 1173, HB 1187, HB 1217, HB 1219, HB 1234, HB 1250, HB 1280, HB 1286, HB 1306, HB 1316, HB 1362.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HCR 3003.

COMMUNICATION FROM GOVERNOR DOUG BURGUM
This is to inform you that on March 14, 2017, I have signed the following: SB 2031, SB 2097, SB 2101, SB 2102, SB 2104, SB 2106, SB 2120, SB 2133, SB 2213, SB 2309, SB 2310, and SB 2318.

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., Thursday, March 16, 2017, which motion prevailed.

REPORT OF STANDING COMMITTEE
HB 1039, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1039 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1162, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends DO NOT PASS (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1162 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE
HB 1214, as engrossed: Judiciary Committee (Sen. Armstrong, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1214 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

HB 1237, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1237 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

HB 1289: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1289 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

HB 1308, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1308 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

HB 1373: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1373 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

HCR 3026: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3026 was placed on the Fourteenth order on the calendar.

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

Shanda Morgan, Secretary