

JOURNAL OF THE SENATE

Sixty-fourth Legislative Assembly

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Bismarck, March 26, 2015

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

The prayer was offered by Pastor Allen Finger, Bismarck Baptist Church, Bismarck.

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

A quorum was declared by the President.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. Wardner, Chairman)** respectfully submits the following names for your **Select Committee** to approve nominee Mike Ness to the North Dakota State Board of Higher Education: Sens. Klein, Schaible, Armstrong, Triplett, and Warner.

SEN. KLEIN MOVED that the report be adopted, which motion prevailed on a voice vote.

REPORT OF DELAYED BILLS COMMITTEE

MR. PRESIDENT: Your **Delayed Bills Committee (Sen. Klein, Chairman)** has cast a vote of 3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING in favor of rejecting the introduction of a bill for an Act to provide contingent appropriations for capital projects of various state agencies and institutions; and to provide contingent authorization for the industrial commission to issue and sell evidences of indebtedness for capital projects.

CONSIDERATION OF AMENDMENTS

HB 1046, as reengrossed: SEN. AXNESS (Human Services Committee) MOVED that the amendments on SJ page 922 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Reengrossed HB 1046 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

HB 1223, as engrossed: SEN. LAFFEN (Finance and Taxation Committee) MOVED that the amendments on SJ page 924 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Engrossed HB 1223 was rereferred to the **Appropriations Committee**.

CONSIDERATION OF AMENDMENTS

HB 1041, as engrossed: SEN. ANDERSON (Human Services Committee) MOVED that the amendments on SJ page 922 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1030: SEN. ARMSTRONG (Judiciary Committee) MOVED that the amendments on SJ pages 921-922 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1279, as engrossed: SEN. DEVER (Human Services Committee) MOVED that the amendments on SJ pages 924-925 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1321, as engrossed: SEN. GRABINGER (Judiciary Committee) MOVED that the amendments on SJ page 925 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1403, as engrossed: SEN. HOGUE (Judiciary Committee) MOVED that the amendments on SJ page 926 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1056, as engrossed: SEN. UNRUH (Finance and Taxation Committee) MOVED that the amendments on SJ pages 922-923 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, Engrossed HB 1139 be placed on the Fourteenth order for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1139, as engrossed: SEN. ROBINSON (Appropriations Committee) MOVED that the amendments on SJ pages 923-924 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 1139: A BILL for an Act to authorize the issuance of revenue bonds for improvements to Woods Hall on the Dickinson state university campus and for acquiring properties for student housing near the campus; to provide an appropriation for defraying the expenses of improvements to Woods Hall and for acquiring properties for student housing near the campus; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1139, as amended, passed and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1462: A BILL for an Act to create and enact a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax credits for charitable contributions to private education institutions; to amend and reenact section 57-38-01.7 of the North Dakota Century Code, relating to income tax credits for charitable contributions to private education institutions; and to provide an effective date.

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 27 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Armstrong; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Dever; Erbele; Flakoll; Grabinger; Hogue; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Miller; Poolman; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Anderson; Axness; Davison; Dotzenrod; Heckaman; Holmberg; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Oehlke; Robinson; Rust; Schaible; Schneider; Sinner; Triplett

ABSENT AND NOT VOTING: Warner

Engrossed HB 1462, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1254: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to a parent's choice individual income tax deduction for qualified educational expenses; and to provide an effective date.

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 22 YEAS, 24 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Armstrong; Bekkedahl; Bowman; Burckhard; Carlisle; Casper; Cook; Davison; Dever; Erbele; Hogue; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Miller; Poolman; Sorvaag; Unruh; Wanzek

NAYS: Anderson; Axness; Campbell; Dotzenrod; Flakoll; Grabinger; Heckaman; Holmberg; Krebsbach; Lee, J.; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Oehlke; Robinson; Rust; Schaible; Schneider; Sinner; Triplett; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1254, as amended, failed.

SECOND READING OF HOUSE BILL

HB 1040: A BILL for an Act to amend and reenact sections 25-03.1-02, 25-03.1-04, 25-03.1-06, 25-03.1-07, 25-03.1-08, 25-03.1-10, 25-03.1-11, 25-03.1-16, 25-03.1-17, 25-03.1-18.1, and 25-03.1-19, subsection 3 of section 25-03.1-21, and sections 25-03.1-23, 25-03.1-25, 25-03.1-26, 25-03.1-27, 25-03.1-41, and 25-03.1-42 of the North Dakota Century Code, relating to scope of practice in involuntary commitment proceedings; and to provide a penalty.

ROLL CALL

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

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1040, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1471: A BILL for an Act to create and enact a new section to chapters 15-10 and 15.1-06 of the North Dakota Century Code, relating to freedom of expression rights of students of public institutions of higher education and public schools.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1471, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1417: A BILL for an Act to amend and reenact section 11-11-50 of the North Dakota Century Code, relating to an armed services' room in courthouses.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1417, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1319: A BILL for an Act to amend and reenact subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to the sales tax exemption for purchases of tickets or admissions to athletic, musical, or dramatic events of institutions of higher education; and to provide an effective date.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

HB 1319, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1133: A BILL for an Act to create and enact a new section to chapter 57-01, a new subsection to section 57-01-02.1, a new subsection to section 57-38-30.5, and a new subsection to section 57-40.3-04 of the North Dakota Century Code, relating to

minimum tax payments and refunds, offsets of overpaid local option taxes from future distributions, the effect of the expiration of the federal research tax credit on the state income tax credit for research and experimental expenditures, and exemptions from motor vehicle excise tax; to amend and reenact sections 5-03-05, 40-57.1-04.4, and 40-57.3-04, subsection 4 of section 57-02-27.2, subsection 2 of section 57-38-62, section 57-40.2-11, and subsection 1 of section 57-43.2-02 of the North Dakota Century Code, relating to authority of the tax commissioner to adopt rules, the tax lien of record clearance requirement for the new and expanding business income tax exemption, offsets of restaurant, restaurant and lodging, and city motor vehicle rental taxes from future distributions, removal of obsolete language from provisions relating to the valuation and assessment of agricultural lands, estimated income tax requirements for corporations, articles taxed in other states or political subdivisions of other states, and establishing energy per volume equivalent of liquefied natural gas for special fuels tax purposes; and to provide an effective date.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Reengrossed HB 1133, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1376: A BILL for an Act to create and enact a new subsection to section 11-11-14 and a new subsection to section 40-05-01 of the North Dakota Century Code, relating to county and city authority to donate funds to a nonprofit health care facility within its jurisdiction.

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 35 YEAS, 11 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Campbell; Carlisle; Casper; Davison; Dotzenrod; Flakoll; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wardner

NAYS: Burckhard; Cook; Dever; Erbele; Grabinger; Kilzer; Laffen; Larsen; Lee, G.; Miller; Wanzek

ABSENT AND NOT VOTING: Warner

HB 1376, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1082: A BILL for an Act to amend and reenact subsection 38 of section 57-02-08 and subsection 1 of 57-02-26 of the North Dakota Century Code, relating to application of property taxes to the value or the leasehold interest in state lands leased for pasture or grazing purposes; and to provide an effective date.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

HB 1082, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1463: A BILL for an Act to amend and reenact section 14-02.4-03 of the North Dakota Century Code, relating to reasonable accommodations in the workplace for pregnancy.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Triplett

ABSENT AND NOT VOTING: Warner

Engrossed HB 1463 passed.

SECOND READING OF HOUSE BILL

HB 1455: A BILL for an Act to provide for a legislative management study regarding contract nursing agencies in the state.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1455 passed.

MOTION

SEN. KLEIN MOVED that HB 1059 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1314: A BILL for an Act to amend and reenact section 14-10-17.1 of the North Dakota Century Code, relating to consent for emergency medical care for a minor who has been sexually assaulted.

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

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

NAYS: Hogue; Larsen; Lee, G.; Miller

ABSENT AND NOT VOTING: Warner

Engrossed HB 1314 passed.

SECOND READING OF HOUSE BILL

HB 1215: A BILL for an Act to provide for a legislative management study of individual income tax credits available for qualified care expenses paid for the care of a qualifying family member.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1215 passed.

SECOND READING OF HOUSE BILL

HB 1365: A BILL for an Act to amend and reenact subsection 2 of section 26.1-39-13, subsection 1 of section 26.1-39-16, and section 26.1-40-07 of the North Dakota Century Code, relating to proof of mailing of insurance notices.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman;

Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1365 passed.

SECOND READING OF HOUSE BILL

HB 1401: A BILL for an Act to provide for a legislative management study of sales and use taxation application for purchases by contractors on behalf of an exempt entity.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1401 passed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3033: A concurrent resolution urging Congress to propose the Regulation Freedom amendment to the United States Constitution.

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

HCR 3033 was declared adopted on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3022: A concurrent resolution to amend and reenact section 23 of article I of the Constitution of North Dakota, relating to the rejection of unconstitutional federal actions.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 16 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Armstrong; Campbell; Carlisle; Casper; Cook; Dever; Laffen; Larsen; Miller; Oehlke; Poolman; Rust; Schaible; Sorvaag; Unruh; Wanzek

NAYS: Anderson; Axness; Bekkedahl; Bowman; Burckhard; Davison; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Robinson; Schneider; Sinner; Triplett; Wardner

ABSENT AND NOT VOTING: Warner

HCR 3022 was declared lost on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1387: A BILL for an Act to create and enact section 54-06-14.5 of the North Dakota Century Code, relating to state employee use of sick leave and annual leave; and to amend and reenact sections 54-21-18 and 54-52.4-03 of the North Dakota Century Code, relating to parking on the capitol grounds for pregnant employees and employees with infants and state employee use of sick leave.

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; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

ABSENT AND NOT VOTING: Warner

Engrossed HB 1387, as amended, passed.

MOTION

SEN. KLEIN MOVED that Reengrossed HB 1059, which is on the Fourteenth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, Reengrossed HB 1059 was rereferred.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has passed, unchanged: HB 1228, HB 1309, HB 1467, HCR 3012, HCR 3037, HCR 3048, HCR 3049.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1197.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1203, HB 1211, HB 1297, HB 1315, HB 1322.

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

MR. PRESIDENT: The House has passed, unchanged: SB 2261, SB 2329, SB 2375.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2109, SB 2119, SB 2166, SB 2238, SB 2255, SB 2300, SB 2356.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2109

Page 1, line 16, replace "20.00" with "40.00"

Page 1, line 17, overstrike "30.00" and insert immediately thereafter "50.00"

Page 1, line 18, replace "40.00" with "60.00"

Page 1, line 19, replace "50.00" with "70.00"

Page 1, line 20, overstrike "60.00" and insert immediately thereafter "80.00"

Page 1, line 21, replace "70.00" with "90.00"

Page 1, line 22, replace "80.00" with "100.00"

Page 1, line 23, replace "90.00" with "125.00"

Page 1, line 24, replace "100.00" with "150.00"

Page 2, line 1, replace "125.00" with "175.00"

Page 2, line 2, replace "150.00" with "200.00"

Page 2, line 3, replace "175.00" with "250.00"

Page 2, line 4, replace "200.00" with "300.00"

Page 2, line 5, replace "250.00" with "400.00"

Page 2, line 6, overstrike "300.00" and insert immediately thereafter "500.00"

Page 2, line 7, replace "400.00" with "1,000.00"

Page 2, line 8, remove the overstrike over "~~20,001 to 30,000~~"

Page 2, line 8, after "~~600.00~~" insert "2,000.00"

Page 2, line 9, remove the overstrike over "~~30,001 to 40,000~~"

Page 2, line 9, after "~~900.00~~" insert "3,000.00"

Page 2, line 13, remove "Over 20,000"

Page 2, line 13, remove "500.00"

Page 2, after line 13, insert "Over 40,000 5,000.00"

Page 2, line 18, after the overstruck period insert "The fees must be reduced by fifty percent after the tenth year of the manufacture of the aircraft, which is the fee each year thereafter."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2119

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of requirements for the submission of financial statements by public warehouses and grain buyers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - SUBMISSION OF FINANCIAL STATEMENTS BY PUBLIC WAREHOUSES AND GRAIN BUYERS.

During the 2015-16 interim, the legislative management shall consider studying requirements for the submission of financial statements, to the public service commission, by public warehouses and grain buyers in this state, including the time and manner in which the statements must be submitted and confidentiality protections for the information contained therein. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2166

Page 1, line 1, after "to" insert "create and enact paragraph 40 to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to entries against driving records; to"

Page 1, line 1, replace "section" with "sections 39-06.1-05 and 39-06.1-09, subdivision b of subsection 3 of section 39-06.1-10, and sections 39-07-09 and"

Page 1, line 2, after "to" insert "authorized procedures for traffic violations, definitions of moving violations, entries against driving records, discretion for release upon promise to appear, and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 39-06.1-05 of the North Dakota Century Code is amended and reenacted as follows:

39-06.1-05. Offenses excepted.

The procedures authorized under sections 39-06.1-02 and 39-06.1-03 may not be utilized by a person charged with one of the following offenses:

1. Driving or being in actual physical control of a vehicle in violation of section 39-08-01, or an equivalent ordinance.
2. Reckless driving or aggravated reckless driving in violation of section 39-08-03, or an equivalent ordinance.
3. A violation of chapter 12.1-16 resulting from the operation of a motor vehicle.
4. Leaving the scene of an accident in violation of section 39-08-04, 39-08-05, 39-08-07, or 39-08-08, or equivalent ordinances.
5. Driving while license or driving privilege is suspended or revoked in violation of section 39-06-42, or an equivalent ordinance.
6. Violating subdivision b or c of subsection 5 of section 39-24-09.
7. ~~Operating a modified vehicle in violation of section 39-21-45.1.~~
8. Operating an unsafe vehicle in violation of subsection 2 of section 39-21-46.
- 9-8. Causing an accident with an authorized emergency vehicle or a vehicle operated by or under the control of the director used for maintaining the state highway system in violation of subsection 5 of section 39-10-26.

SECTION 2. AMENDMENT. Section 39-06.1-09 of the North Dakota Century Code is amended and reenacted as follows:

39-06.1-09. Moving violation defined.

For the purposes of sections 39-06.1-06 and 39-06.1-13, a "moving violation" means a violation of section 39-04-22, subsection 1 of section 39-04-37, section 39-04-55, 39-06-01, 39-06-14, 39-06-14.1, 39-06-16, 39-08-20, 39-08-23, 39-08-24, 39-09-01, 39-09-01.1, 39-09-04.1, or 39-09-09, subsection 1 of section 39-12-02, section 39-12-04, 39-12-05, 39-12-06, 39-12-09, 39-21-45.1, 39-24-02, or 39-24-09, except subdivisions b and c of subsection 5 of section 39-24-09, or equivalent ordinances; or a violation of the provisions of chapter 39-10, 39-10.2, or 39-21, or equivalent ordinances, except subsection 5 of section 39-10-26, section 39-21-44, and ~~39-21-45.1~~, subsections 2 and 3 of section 39-21-46, and those sections within those chapters which are specifically listed in subsection 1 of section 39-06.1-08.

SECTION 3. Paragraph 40 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code is created and enacted as follows:

- (40) Driving a modified motor vehicle in violation of section 39-21-45.1, or equivalent ordinance 1 point

SECTION 4. AMENDMENT. Subdivision b of subsection 3 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

b. Criminal Violations Conviction of:	Points Assigned:
(1) Reckless driving in violation of section 39-08-03, or equivalent ordinance	8 points
(2) Aggravated reckless driving in violation of section 39-08-03, or equivalent ordinance	12 points
(3) Leaving the scene of an accident involving property damage in violation of section 39-08-05, 39-08-07, or 39-08-08, or equivalent ordinances	14 points
(4) Leaving the scene of an accident involving personal injury or death in violation of section 39-08-04, or equivalent ordinance	18 points
(5) Violating restrictions in a restricted license issued under section 39-06-17 and relating to the use of eyeglasses or contact lenses while driving	3 points
(6) Violating any restrictions other than those listed in paragraph 5, contained in a restricted license issued under section 39-06-17 or 39-06.1-11	4 points
(7) Knowingly driving a modified motor vehicle in violation of section 39-21-45.1, or equivalent ordinance	2 points
(8) Except as provided in paragraph 9 of subdivision a, knowingly operating an unsafe vehicle in violation of section 39-21-46, or equivalent ordinance	2 points
(9) <u>(8)</u> Fleeing in a motor vehicle from a peace officer in violation of section 39-10-71, or equivalent ordinance	24 points
(10) <u>(9)</u> Causing an accident with an authorized emergency vehicle or a vehicle operated by or under the control of the director used for maintaining the state highway system in violation of subsection 5 of section 39-10-26, or equivalent ordinance	2 points
(11) <u>(10)</u> Driving in violation of the conditions of an instruction permit	2 points

SECTION 5. AMENDMENT. Section 39-07-09 of the North Dakota Century Code is amended and reenacted as follows:

39-07-09. Offenses under which person halted may not be entitled to release upon promise to appear.

Section 39-07-07 does not apply to a person if:

1. The halting officer has good reason to believe the person guilty of any felony or if the person is halted and charged with an offense listed in section 39-06.1-05 but not listed in subsection 2; or
2. The halting officer, acting within the officer's discretion, determines that it is inadvisable to release the person upon a promise to appear and if the person has been halted and charged with any of the following offenses:
 - a. Reckless driving.

- b. Driving in excess of speed limitations established by the state or by local authorities in their respective jurisdictions.
- c. Driving while license or driving privilege is suspended or revoked for violation of section 39-06-42, or an equivalent ordinance.
- d. ~~Operating a modified vehicle.~~
- e. Driving without liability insurance in violation of section 39-08-20.
- f.e. Failing to display a placard or flag, in violation of any rule implementing section 39-21-44, while transporting explosive or hazardous materials.
- g.f. Operating an unsafe vehicle in violation of subsection 2 of section 39-21-46.

The halting officer forthwith shall take any person not released upon a promise to appear before the nearest or most accessible magistrate."

Page 1, line 9, remove the overstrike over "seven"

Page 1, line 9, remove "ten"

Page 1, line 9, remove the overstrike over "3175.14"

Page 1, line 9, remove "4535.92"

Page 2, line 2, replace "the director's requirements" with "any other requirement applicable to a vehicle under chapter 39-21"

Page 2, line 4, overstrike "comply" and insert immediately thereafter "be branded"

Page 2, line 5, remove "the director's",

Page 2, line 5, overstrike "requirements" and insert immediately thereafter "a United States department of transportation tire identification number"

Page 2, line 6, overstrike "The maximum outside diameter permitted for tires is forty-four inches"

Page 2, overstrike line 7

Page 2, line 8, remove "(4)"

Page 2, line 14, remove the overstrike over "e."

Page 2, line 14, overstrike "The maximum lift permitted in the suspension system is four inches [10.16"

Page 2, overstrike line 15

Page 2, line 16, remove "e."

Page 2, line 16, remove "An individual"

Page 2, line 16, overstrike "charged with violating this section has the burden of"

Page 2, line 17, remove "showing"

Page 2, line 17, overstrike "that the modifications are permitted under this"

Page 2, overstrike line 18

Page 2, line 19, remove "f."

Page 2, line 21, replace "g." with "f."

Renumber accordingly

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2238

Page 1, line 2, after "caskets" insert "or urns"

Page 1, line 19, remove "If the deceased was a veteran as defined"

Page 1, line 20, replace "in section 37-01-40, the" with "The"

Page 1, line 20, replace "shall" with "may"

Page 1, line 20, after "provide" insert "for the use of"

Page 1, line 20, after "casket" insert "or urn, if the deceased was a veteran as defined in section 37-01-40, unless the additional cost exceeds the negotiated expenses of this section or a surviving spouse or the nearest of kin of the deceased elects a nonmilitary casket"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2255

Page 1, line 9, overstrike "the certificate"

Page 1, line 9, after "ør" insert "a household goods carrier"

Page 1, line 9, remove the overstrike over "øpermit"

Page 1, line 21, overstrike "**Certificate of public convenience - "**

Page 1, line 21, after "**Temporary**" insert "**Household goods carrier**"

Page 1, line 22, remove the overstrike over "**øpermit**"

Page 1, line 24, overstrike "certificate of public convenience and necessity" and insert immediately thereafter "household goods carrier permit"

Page 2, line 4, replace "certificate of public convenience and necessity" with "household goods carrier permit"

Page 2, line 8, overstrike "**Certificates - "**

Page 2, line 8, remove the overstrike over "**Permits-**"

Page 2, line 9, overstrike "Certificates"

Page 2, line 9, after "and" insert "Household goods carrier"

Page 2, line 9, remove the overstrike over "øpermits"

Page 2, line 9, remove "of public convenience and necessity"

Page 2, line 10, overstrike "certificates"

Page 2, line 11, remove the overstrike over "øpermits"

Page 2, line 16, overstrike "certificate of"

Page 2, line 17, overstrike "public convenience and necessity"

Page 2, line 17, after "ør" insert "household goods carrier"

Page 2, line 17, remove the overstrike over "permit"

Page 2, line 18, overstrike "certificate of public convenience and"

Page 2, line 19, overstrike "necessity" and insert immediately thereafter "household goods carrier permit"

Page 2, line 19, remove "certificate of public"

Page 2, line 20, replace "convenience and necessity" with "household goods carrier permit"

Page 2, line 23, overstrike "certificate"

Page 2, line 23, remove the overstrike over "permit"

Page 2, line 24, overstrike "certificate"

Page 2, line 24, after "or" insert "household goods carrier"

Page 2, line 24, remove the overstrike over "permit"

Page 2, line 29, overstrike "certificate" and insert immediately thereafter "household goods carrier permit"

Page 3, line 5, overstrike the first "certificate" and insert immediately thereafter "permit"

Page 3, line 5, overstrike the second "certificate" and insert immediately thereafter "permit"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2300

Page 4, line 12, after "appointed" insert ". A majority of the members of each task force and a majority of the legislative assembly members of each task force must vote in favor of any proposed legislation before the proposed legislation may be recommended to the legislative management"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2356

Page 1, line 1, after the second "for" insert "a"

Page 1, line 1, replace "studies of oil and gas and" with "study of"

Page 1, line 6, replace "include the consideration of" with "address the"

Page 1, line 8, after "lands" insert a comma

Page 1, remove lines 16 through 24

Page 2, remove lines 1 through 10

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 2148.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SB 2026, SB 2314, SCR 4023.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2025, SB 2099, SB 2186, SB 2248, SB 2363.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has signed: SB 2129, SB 2131, SB 2172, SB 2215, SB 2335, SB 2364, SCR 4007, SCR 4012, SCR 4013, SCR 4014, SCR 4018.

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

MR. PRESIDENT: The Speaker has signed: HB 1245, HB 1251, HB 1310, HB 1312.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 26, 2015: SB 2129, SB 2131, SB 2172, SB 2215, SB 2335, SB 2364.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

This is to inform you that on March 26, 2015, I have signed the following: SB 2168 and SB 2187.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for filing on March 26, 2015: SCR 4007, SCR 4012, SCR 4013, SCR 4014, SCR 4018.

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, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, March 27, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1035, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1035 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a"

Page 1, line 1, replace "study" with "studies"

Page 1, line 2, after "system" insert "and a behavioral health and addiction training initiative"

Page 1, after line 17, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - BEHAVIORAL HEALTH AND ADDICTION TRAINING INITIATIVE. During the 2015-16 interim, the legislative management shall consider studying the feasibility and desirability of pursuing a behavioral health and addiction training initiative in response to concerns described in the behavioral health planning report prepared by Schulte Consulting, LLC, for the legislative management's 2013-14 human services committee and in reports of the steering committee of the behavioral health stakeholders group. The study shall include exploration of opportunities for innovative public-private partnerships, and may include participation by public and private stakeholders, such as the university of North Dakota school of medicine and health sciences and school of law. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1038, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1038 was placed on the Sixth order on the calendar.

Page 1, line 3, replace the first "telemedicine" with "telehealth"

Page 1, line 3, replace the second "telemedicine" with "telehealth"

Page 1, line 8, replace "**telemedicine**" with "**telehealth**"

Page 1, line 11, replace "telemedicine" with "telehealth"

Page 1, line 12, replace "medical" with "health"

Page 1, line 20, replace "medical" with "health"

Page 1, line 21, replace "telemedicine" with "telehealth"

Page 1, line 22, replace "medical" with "health"

Page 2, line 6, replace "Telemedicine" with "Telehealth"

Page 2, line 9, replace "medical" with "health"

Page 2, line 18, replace "medical" with "health"

Page 2, line 19, replace "medical" with "health"

Page 2, line 19, replace "telemedicine" with "telehealth"

Page 2, line 20, replace "medical" with "health"

Page 2, line 21, replace "medical" with "health"

Page 2, line 22, replace "telemedicine" with "telehealth"

Page 2, line 23, replace "medical" with "health"

Page 2, line 25, replace "medical" with "health"

Page 2, line 29, replace "medical" with "health"

Page 3, line 1, replace "medical" with "health"

Page 3, line 2, replace "telemedicine" with "telehealth"

Page 3, line 2, replace "medical" with "health"

Page 3, line 5, replace "medical" with "health"

Page 3, line 5, replace "telemedicine" with "telehealth"

Page 3, line 6, replace "medical" with "health"

Page 3, line 9, replace "medical" with "health"

Page 3, line 10, replace "telemedicine" with "telehealth"

Page 3, line 12, replace "**TELEMEDICINE**" with "**TELEHEALTH**"

Page 3, line 14, replace "telemedicine" with "telehealth"

Page 3, line 16, replace "telemedicine" with "telehealth"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1051, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1051, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1111, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1111 was placed on the Sixth order on the calendar.

Page 1, line 7, after the semicolon insert "to provide for a report to the legislative management;"

Page 14, after line 8, insert:

"SECTION 15. DEPARTMENT OF HUMAN SERVICES REPORT TO LEGISLATIVE MANAGEMENT. The department of human services shall provide a report to the legislative management before July 1, 2016, regarding the number of revoked obligor driver's licenses, the duration and effectiveness of revocations, including a comparison of the state's driver's license revocation with other rural states; and shall present a specific proposal that may limit the use of revocation of driver's licenses as a tool of enforcement."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1165: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1165 was placed on the Sixth order on the calendar.

Page 1, line 13, after the first "assistance" insert "as appropriate"

Page 1, line 13, after the second "assistance" insert a comma

Page 1, line 13, remove "and"

Page 1, line 13, after "trusts" insert ", and the council of state governments' justice center"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1368, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1368 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "the requirements" with "mandated treatment"

Page 1, line 2, replace "offender treatment programs" with "offenders"

Page 1, line 7, remove "1."

Page 1, line 10, after "program" insert ". A court may not order the offender to attend anger management classes or individual counseling"

Page 1, line 10, after "unless" insert "a domestic violence offender treatment program is not reasonably available to the defendant and"

Page 1, line 10, overstrike "written"

Page 1, line 11, overstrike "such"

Page 1, line 11, after "order" insert "to complete a domestic violence offender treatment program"

Page 1, remove lines 12 through 24

Page 2, remove lines 1 through 3

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3005, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3005 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3052, as engrossed: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3052 was placed on the Sixth order on the calendar.

Page 1, line 19, after the period insert "The North Dakota Legislative Assembly requests the State Board of Higher Education provide a report to the legislative management before July 1, 2016, regarding the policies, procedures, supports, and services available to all public institutions of higher education in the state regarding sexual assault and related incidents."

Renumber accordingly

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

Jane Schaible, Secretary

