

## JOURNAL OF THE HOUSE

## Sixty-fifth Legislative Assembly

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Bismarck, March 30, 2017

The House convened at 1:00 p.m., with Speaker Bellew presiding.

The prayer was offered by Pastor Winston Titus, Evangel Assembly of God Church, Bismarck.

The roll was called and all members were present except Representatives Guggisberg, Kading, Kasper, and Simons.

A quorum was declared by the Speaker.

**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Rep. Gerry Uglen

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Klemin, Chairman)** has carefully examined the Journal of the Fifty-seventh Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1198, after line 22, insert:

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

**MR. PRESIDENT:** The Speaker has signed: HB 1212, HB 1214."

**REP. KLEMIN MOVED** that the report be adopted, which motion prevailed.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 29, 2017, I have signed the following: HB 1029, HB 1030, HB 1055, HB 1057, HB 1273, HB 1322, HB 1336, and HB 1431.

**SIXTH ORDER OF BUSINESS**

**SPEAKER BELLEW DEEMED** approval of the amendments to Engrossed SB 2037, Reengrossed SB 2243, Engrossed SB 2276, and Engrossed SB 2329.

Engrossed SB 2037, Reengrossed SB 2243, Engrossed SB 2276, and Engrossed SB 2329, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**SIXTH ORDER OF BUSINESS**

**SB 2273, as engrossed: REP. TROTTIER (Finance and Taxation Committee) MOVED** that the amendments on HJ pages 1200-1201 be adopted and then be placed on today's calendar at the bottom of the Fourteenth order with **DO PASS**.

**REQUEST**

**REP. HOGAN REQUESTED** a recorded roll call vote, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the amendments to Engrossed SB 2273, the roll was called and there were 69 YEAS, 21 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Blum; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kempenich; Kiefert; Koppelman, B.;

Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Monson; Nathe; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Beadle; Boe; Boehning; Boschee; Delmore; Dobervich; Hanson; Hogan; Holman; Keiser; Klemin; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Nelson, J.; Nelson, M.; Schneider

**ABSENT AND NOT VOTING:** Anderson, P.; Guggisberg; Kading; Kasper

The proposed amendments to Engrossed SB 2273 were adopted on a recorded roll call vote.

#### MOTION

**REP. VIGESAA MOVED** that SB 2273 be moved to the top of the Fourteenth order, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2273:** A BILL for an Act to amend and reenact subsection 5 of section 57-15-56 and section 57-39.2-26.2 of the North Dakota Century Code, relating to the senior citizen services and programs fund; to provide for a legislative management study relating to fees charged by county directors of tax equalization for property records; 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 68 YEAS, 23 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Brabandt; Brandenburg; Carlson; Damschen; Delzer; Devlin; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Kempenich; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Marschall; Monson; Nathe; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schobinger; Schreiber-Beck; Seibel; Simons; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Anderson, P.; Beadle; Boe; Boschee; Delmore; Dobervich; Hanson; Hogan; Holman; Keiser; Klemin; Magrum; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Nelson, J.; Nelson, M.; O'Brien; Schneider; Skroch

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper

Engrossed SB 2273, as amended, passed.

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#### SECOND READING OF SENATE BILL

**SB 2038:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to the establishment of a task force on children's behavioral health; to amend and reenact section 15.1-07-34, subsection 1 of section 25-03.1-11, and section 25-03.1-26 of the North Dakota Century Code, relating to emergency hold limitations for mental health examinations; to provide for a report to the governor and the legislative management; and to repeal sections 15.1-19-19 and 15.1-19-24 of the North Dakota Century Code, relating to professional development training regarding the prevention of bullying and youth suicide.

#### REQUEST

**REP. VIGESAA REQUESTED** that the House divide Engrossed SB 2038, as amended, which request was granted.

**DIVISION A:** Sections 4 and 5

**DIVISION B:** Remainder of bill

**ROLL CALL**

The question being on the final adoption of Division A of Engrossed SB 2038, as amended, the roll was called and there were 54 YEAS, 35 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Keiser; Kempenich; Klemin; Longmuir; Maragos; Martinson; McWilliams; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Porter; Pyle; Sanford; Satrom; Schneider; Schreiber-Beck; Seibel; Sukut; Trottier; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rich S.; Becker, Rick C.; Brabandt; Delzer; Ertelt; Johnson, C.; Johnston; Jones; Karls; Kiefert; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Louser; Magrum; Marschall; Meier; Oliver; Olson; Paur; Pollert; Rohr; Ruby, D.; Ruby, M.; Schatz; Schobinger; Simons; Skroch; Steiner; Streyle; Toman; Vetter; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Roers Jones; Schmidt

Division A of Engrossed SB 2038, as amended, was adopted on a recorded roll call vote.

**ROLL CALL**

The question being on the final adoption of Division B of Engrossed SB 2038, as amended, the roll was called and there were 74 YEAS, 17 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Trottier; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Becker, Rick C.; Brabandt; Johnson, C.; Johnston; Koppelman, B.; Koppelman, K.; Laning; Magrum; Marschall; Oliver; Olson; Ruby, D.; Ruby, M.; Schatz; Simons; Toman; Vetter

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper

Division B of Engrossed SB 2038, as amended, was adopted on a recorded roll call vote.

**ROLL CALL**

The question being on the final passage of the amended bill, which includes Division A and Division B, which have been read, the roll was called and there were 68 YEAS, 23 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Owens; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Trottier; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Brabandt; Delzer; Ertelt; Johnson, C.; Johnston; Koppelman, B.; Koppelman, K.; Laning; Magrum; Marschall; Oliver; Olson; Paur; Pollert; Ruby, D.; Ruby, M.; Schatz; Simons; Streyle; Toman; Vetter; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper

Engrossed SB 2038, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2149:** A BILL for an Act to create and enact a new subsection to section 12.1-32-09.1 of the North Dakota Century Code, relating to the penalty for a class A misdemeanor; to amend and reenact subdivision k of subsection 3 of section 12.1-23-05, subsection 5 of section 12.1-32-01, subdivision b of subsection 1 of section 12.1-32-02.1, subsection 3 of section 19-03.1-22.2, section 19-03.1-23, subsection 2 of section 19-03.1-23.1, section 19-03.1-23.4, paragraph 3 of subdivision e of subsection 1 of section 19-03.1-36, subdivision e of subsection 5 of section 19-03.1-36, subsection 1 of section 19-03.1-45, and subsection 29 of section 40-05-02 of the North Dakota Century Code, relating to grading of theft offenses, illegal possession of prescription capsules, pills, or tablets, possession of marijuana, and misdemeanor marijuana convictions being excluded as prior offenses for purposes of determining mandatory terms of imprisonment; 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 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Grueneich; Hanson; Hatlestad; Headland; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Keiser; Kempenich; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Ertelt; Heinert; Kiefert; Meier; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper

Reengrossed SB 2149, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2107:** A BILL for an Act to create and enact section 37-01-47 of the North Dakota Century Code, relating to health insurance coverage for national guard service members; to amend and reenact sections 37-04-08 and 37-07-05 of the North Dakota Century Code, relating to pay and benefits of national guard members; to provide for retroactive application; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.;

Johnson, M.; Johnston; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Owens

Engrossed SB 2107 passed and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2329:** A BILL for an Act to amend and reenact section 43-30-04 of the North Dakota Century Code, relating to private investigative services by security officers; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Owens

Engrossed SB 2329, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2276:** A BILL for an Act to amend and reenact subsection 7 of section 10-33-21, section 10-33-100, and subsection 4 of section 10-33-108 of the North Dakota Century Code, relating to the prohibition of the diversion of restricted assets and the priority of those assets in a dissolution.

### 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Owens

Engrossed SB 2276, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2037:** A BILL for an Act to amend and reenact sections 15-10-37 and 15-10-38 of the North Dakota Century Code, relating to the technology occupations student loan program and the teacher shortage loan forgiveness 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 82 YEAS, 8 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Sukut; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Brabandt; Johnston; Magrum; Schatz; Simons; Streyle; Toman; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Owens

Engrossed SB 2037, as amended, passed.

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### SECOND READING OF SENATE BILL

**SB 2243:** A BILL for an Act to provide for a legislative management study of teacher loan forgiveness programs.

### 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 76 YEAS, 14 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Carlson; Damschen; Delmore; Delzer; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Steiner; Sukut; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Brabandt; Devlin; Johnston; Koppelman, B.; Magrum; McWilliams; Paur; Schatz; Simons; Skroch; Streyle; Toman; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Owens

Reengrossed SB 2243, as amended, passed.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. LOUSER MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1339 as printed on HJ page 1068 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on:  
**Engrossed HB 1339:** Reps. B. Koppelman, C. Johnson, Rohr.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. K. KOPPELMAN MOVED** that the House do not concur in the Senate amendments to HB 1194 as printed on HJ pages 1137-1138 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on:  
**HB 1194:** Reps. Klemin, Blum, Hanson.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. HEADLAND MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1166 as printed on HJ pages 1172-1173 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on:  
**Engrossed HB 1166:** Reps. Dockter, Grueneich, Mitskog.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. HEADLAND MOVED** that the House do not concur in the Senate amendments to Reengrossed HB 1045 as printed on HJ pages 1164-1172 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on:  
**Reengrossed HB 1045:** Reps. Headland, Dockter, Mitskog.

**MOTION**

**REP. VIGESAA MOVED** that HB 1037, HB 1389, HB 1283, and HB 1098, which are on the Twelfth order, be laid over one legislative day, which motion prevailed on a voice vote.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to HB 1097 as printed on HJ page 882, which motion prevailed on a voice vote.

HB 1097, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1097:** A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the nurse licensure compact; and to amend and reenact section 43-12.1-09.1 of the North Dakota Century Code, relating to criminal history record checks.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.;

Johnson, M.; Johnston; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Hanson; Kading; Kasper; Owens

Engrossed HB 1097 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. D. RUBY MOVED** that the House do concur in the Senate amendments to HB 1110 as printed on HJ pages 885-886, which motion prevailed on a voice vote.

HB 1110, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1110:** A BILL for an Act to create and enact section 24-02-49 of the North Dakota Century Code, relating to cooperative agreements with private entities for the construction of certain items on the state highway system.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Owens

Engrossed HB 1110 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to HB 1116 as printed on HJ page 883, which motion prevailed on a voice vote.

HB 1116, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1116:** A BILL for an Act to amend and reenact section 25-02-01.1 of the North Dakota Century Code, relating to the structure of the department of human services and changes in terminology.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson;



Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Owens

HB 1116 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. WEISZ MOVED** that the House do concur in the Senate amendments to Engrossed HB 1134 as printed on HJ page 1009, which motion prevailed on a voice vote.

Engrossed HB 1134, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1134:** A BILL for an Act to amend and reenact sections 25-01.2-01, 25-01.2-03, 25-01.2-04, 25-01.2-05, 25-01.2-06, 25-01.2-08, 25-01.2-09, 25-01.2-10, 25-01.2-11, 25-01.2-12, 25-01.2-14, 25-01.2-15, 25-01.2-16, and 25-04-02.1, subsection 4 of section 25-04-05, subsection 2 of section 25-16-01, section 25-16-04, subsection 2 of section 25-16.1-01, section 25-16.1-03, and subsection 2 of section 25-18-01 of the North Dakota Century Code, relating to updating definitions and code sections to reflect person first language, updating language to reflect rights of the developmentally disabled, applying and removing restrictions on individuals with developmental disabilities, and to clarify inspection of facilities.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Owens

Reengrossed HB 1134 passed.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. PORTER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1150 as printed on HJ pages 901-902, which motion prevailed on a voice vote.

Engrossed HB 1150, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1150:** A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to bonus points awarded to participants in lotteries for hunting licenses.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Howe; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Guggisberg; Kading; Kasper; Owens

Reengrossed HB 1150 passed.

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**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: HB 1436.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2099, SB 2141, SB 2163, SB 2189, SB 2271, SB 2322, SB 2335.

**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 2135, SB 2196, SB 2261.

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

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2145, SB 2187, SB 2328, SCR 4004, SCR 4006.

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

**MR. SPEAKER:** The Senate has passed, unchanged: HCR 3014.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1255, HB 1272, HB 1334, HB 1341, HB 1374, HB 1392, HB 1403, HB 1418.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1255**

Page 2, line 15, remove "and"

Page 2, line 16, after "cities" insert "; and

h. Representatives of short line railroads operating in this state"

Page 2, line 21, replace "congress" with "Congress of the United States"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1272**

Page 1, line 14, replace "primarily" with "in this state solely"

Page 2, after line 2 insert:

"1."

Page 2, line 4, remove "provides fraudulent disability documentation"

Page 2, line 5, replace "indicating a disability that requires the use of a service animal. A" with "knowingly makes a false claim of having a disability that requires the use of a service animal or assistance animal or knowingly provides fraudulent supporting documentation in connection with such a claim."

2. If the individual pleads guilty or is convicted of an offense under subsection 1, a"

Page 2, line 6, remove "of one month's rent"

Page 2, line 8, after "animal" insert "or assistance animal"

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1334**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 12.1-32-15 of the North Dakota Century Code, relating to registration requirements for sexual offenders; and to provide a penalty.

#### **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 12.1-32-15 of the North Dakota Century Code is amended and reenacted as follows:

#### **12.1-32-15. Offenders against children and sexual offenders - Sexually violent predators - Registration requirement - Penalty.**

1. As used in this section:
  - a. "A crime against a child" means a violation of chapter 12.1-16, section 12.1-17-01.1 if the victim is under the age of twelve, 12.1-17-02, 12.1-17-04, subdivision a of subsection 6 of section 12.1-17-07.1, section 12.1-18-01, 12.1-18-02, 12.1-18-05, chapter 12.1-29, or section 14-09-22, subsection 3 of section 12.1-41-02, subsection 3 of section 12.1-41-03, or an equivalent offense from another court in the United States, a tribal court, or court of another country, in which the victim is a minor or is otherwise of the age required for the act to be a crime or an attempt or conspiracy to commit these offenses.
  - b. "Department" means the department of corrections and rehabilitation.
  - c. "Homeless" means an individual who is physically present in this state, but is living in a park, under a bridge, on the streets, in a vehicle or camper, or is otherwise without a traditional dwelling, and also one who resides in this state but does not maintain a permanent address. The term does not include individuals who are temporarily domiciled or individuals residing in public or private shelters that provide temporary living accommodations.
  - d. "Mental abnormality" means a congenital or acquired condition of an individual that affects the emotional or volitional capacity of the individual in a manner that predisposes that individual to the commission of criminal sexual acts to a degree that makes the individual a menace to the health and safety of other individuals.
  - e. "Predatory" means an act directed at a stranger or at an individual with whom a relationship has been established or promoted for the primary purpose of victimization.

- f. "Reside" means to live permanently or be situated for a considerable time in a home or a particular place.
  - g. "Sexual offender" means a person who has pled guilty to or been found guilty, including juvenile delinquent adjudications, of a violation of section 12.1-20-03, 12.1-20-03.1, 12.1-20-04, 12.1-20-05, 12.1-20-05.1, 12.1-20-06, 12.1-20-06.1, 12.1-20-07 except for subdivision a, 12.1-20-11, 12.1-20-12.1, or 12.1-20-12.2, chapter 12.1-27.2, or subsection 2 of section 12.1-22-03.1, subdivision b of subsection 1 of section 12.1-41-02, section 12.1-41-04, 12.1-41-05, or 12.1-41-06, or an equivalent offense from another court in the United States, a tribal court, or court of another country, or an attempt or conspiracy to commit these offenses.
  - g-h. "Sexually dangerous individual" means an individual who meets the definition specified in section 25-03.3-01.
  - h-i. "Temporarily domiciled" means staying or being physically present in this state for more than thirty days in a calendar year or at a location for longer than ten consecutive days, attending school for longer than ten days, or maintaining employment in the jurisdiction for longer than ten days, regardless of the state of the residence.
2. The court shall impose, in addition to any penalty provided by law, a requirement that the individual register, within three days of coming into a county in which the individual resides, is homeless, or within the period identified in this section that the individual becomes temporarily domiciled. The individual must register with the chief of police of the city or the sheriff of the county if the individual resides, attends school, or is employed in an area other than a city. A homeless individual shall register every three days with the sheriff or chief of police of the jurisdiction in which the individual is physically present. The court shall require an individual to register by stating this requirement on the court records, if that individual:
- a. Has pled guilty or nolo contendere to, or been found guilty as a felonious sexual offender or an attempted felonious sexual offender, including juvenile delinquent adjudications of equivalent offenses unless the offense is listed in subdivision c.
  - b. Has pled guilty or nolo contendere to, or been found guilty as a sexual offender for, a misdemeanor or attempted misdemeanor. The court may deviate from requiring an individual to register if the court first finds the individual is no more than three years older than the victim if the victim is a minor, the individual has not previously been convicted as a sexual offender or of a crime against a child, and the individual did not exhibit mental abnormality or predatory conduct in the commission of the offense.
  - c. Is a juvenile found delinquent under subdivision d of subsection 1 of section 12.1-20-03, subdivision a of subsection 2 of section 12.1-20-03, or as a sexual offender for a misdemeanor. The court may deviate from requiring the juvenile to register if the court first finds the juvenile has not previously been convicted as a sexual offender or for a crime against a child, and the juvenile did not exhibit mental abnormality or predatory conduct in the commission of the offense.
  - d. Has pled guilty or nolo contendere to, or been found guilty of, a crime against a child or an attempted crime against a child, including juvenile delinquent adjudications of equivalent offenses. Except if the offense is described in section 12.1-29-02, or section 12.1-18-01 or 12.1-18-02 and the person is not the parent of the victim, the court may deviate from requiring an individual to register if the court first finds the individual has not previously been convicted as a sexual

offender or for a crime against a child, and the individual did not exhibit mental abnormality or predatory conduct in the commission of the offense.

- e. Has pled guilty or nolo contendere, been found guilty, or been adjudicated delinquent of any crime against another individual which is not otherwise specified in this section if the court determines that registration is warranted by the nature of the crime and therefore orders registration for the individual. If the court orders an individual to register as an offender under this section, the individual shall comply with all of the registration requirements in this chapter.
3. If a court has not ordered an individual to register in this state, an individual who resides, is homeless, or is temporarily domiciled in this state shall register if the individual:
    - a. Is incarcerated or is on probation or parole after July 31, 1995, for a crime against a child described in section 12.1-29-02, or section 12.1-18-01 or 12.1-18-02 if the individual was not the parent of the victim, or as a sexual offender;
    - b. Has pled guilty or nolo contendere to, or been adjudicated for or found guilty of, an offense in a court of this state for which registration is mandatory under this section or an offense from another court in the United States, a tribal court, or court of another country equivalent to those offenses set forth in this section; or
    - c. Has pled guilty or nolo contendere to, or has been found guilty of, a crime against a child or as a sexual offender for which registration is mandatory under this section if the conviction occurred after July 31, 1985.
  4. In its consideration of mental abnormality or predatory conduct, the court shall consider the age of the offender, the age of the victim, the difference in ages of the victim and offender, the circumstances and motive of the crime, the relationship of the victim and offender, and the mental state of the offender. The court may order an offender to be evaluated by a qualified counselor, psychologist, or physician before sentencing. Except as provided under subdivision e of subsection 2, the court shall state on the record in open court its affirmative finding for not requiring an offender to register.
  5. When an individual is required to register under this section, the official in charge of a facility or institution where the individual required to register is confined, or the department, shall, before the discharge, parole, or release of that individual, inform the individual of the duty to register pursuant to this section. The official or the department shall require the individual to read and sign a form as required by the attorney general, stating that the duty of the individual to register has been explained to that individual. The official in charge of the place of confinement, or the department, shall obtain the address where the individual expects to reside, attend school, or work upon discharge, parole, or release and shall report the address to the attorney general. The official in charge of the place of confinement, or the department, shall give three copies of the form to the individual and shall send three copies to the attorney general no later than forty-five days before the scheduled release of that individual. The attorney general shall forward one copy to the law enforcement agency having jurisdiction where the individual expects to reside, attend school, or work upon discharge, parole, or release, one copy to the prosecutor who prosecuted the individual, and one copy to the court in which the individual was prosecuted. All forms must be transmitted and received by the law enforcement agency, prosecutor, and court thirty days before the discharge, parole, or release of the individual.

6. An individual who is required to register pursuant to this section who is released on probation or discharged upon payment of a fine must, before the release or discharge, be informed of the duty to register under this section by the court in which that individual is convicted. The court shall require the individual to read and sign a form as required by the attorney general, stating that the duty of the individual to register under this section has been explained to that individual. The court shall obtain the address where the individual expects to reside, attend school, or work upon release or discharge and shall report the address to the attorney general within three days. The court shall give one copy of the form to the individual and shall send two copies to the attorney general. The attorney general shall forward one copy to the appropriate law enforcement agency having jurisdiction where the individual expects to reside, attend school, or work upon discharge, parole, or release.
7. Registration consists of a written statement signed by the individual, giving the information required by the attorney general, and the biometric data and photograph of the individual. An individual who is not required to provide a sample of blood and other body fluids under section 31-13-03 or by the individual's state or court of conviction or adjudication shall submit a sample of blood and other body fluids for inclusion in a centralized database of DNA identification records under section 31-13-05. The collection, submission, testing and analysis of, and records produced from, samples of blood and other body fluids, are subject to chapter 31-13. Evidence of the DNA profile comparison is admissible in accordance with section 31-13-02. A report of the DNA analysis certified by the state crime laboratory is admissible in accordance with section 31-13-05. A district court shall order an individual who refuses to submit a sample of blood or other body fluids for registration purposes to show cause at a specified time and place why the individual should not be required to submit the sample required under this subsection. Within three days after registration, the registering law enforcement agency shall forward the statement, biometric data, and photograph to the attorney general and shall submit the sample of the individual's blood and body fluids to the state crime laboratory. If an individual required to register under this section has a change in vehicle or computer online identity, the individual shall inform in writing, within three days after the change, the law enforcement agency with which that individual last registered of the individual's new vehicle or computer online identity. If an individual required to register pursuant to this section has a change in name, school, or residence or employment address, that individual shall inform in writing, at least ten days before the change, the law enforcement agency with which that individual last registered of the individual's new name, school, residence address, or employment address. A change in school or employment address includes the termination of school or employment for which an individual required to register under this section shall inform in writing within five days of the termination the law enforcement agency with which the individual last registered. The law enforcement agency, within three days after receipt of the information, shall forward it to the attorney general. The attorney general shall forward the appropriate registration data to the law enforcement agency having local jurisdiction of the new place of residence, school, or employment. Upon a change of address, the individual required to register shall also register within three days at the law enforcement agency having local jurisdiction of the new place of residence, school, or employment. The individual registering under this subsection shall periodically confirm the information required under this subsection in a manner and at an interval determined by the attorney general. A law enforcement agency that has previously registered an offender may omit the biometric data portion of the registration if that agency has a set of biometric data on file for that individual and is personally familiar with and can visually identify the offender. These provisions also apply in any other state that requires registration.

8. An individual required to register under this section shall comply with the registration requirement for the longer of the following periods:
  - a. A period of fifteen years after the date of sentence or order deferring or suspending sentence upon a plea or finding of guilt or after release from incarceration, whichever is later;
  - b. A period of twenty-five years after the date of sentence or order deferring or suspending sentence upon a plea or finding of guilt or after release from incarceration, whichever is later, if the offender is assigned a moderate risk by the attorney general as provided in subsection 12; or
  - c. For the life of the individual, if that individual:
    - (1) On two or more occasions has pled guilty or nolo contendere to, or been found guilty of a crime against a child or as a sexual offender. If all qualifying offenses are misdemeanors, this lifetime provision does not apply unless a qualifying offense was committed after August 1, 1999;
    - (2) Pleads guilty or nolo contendere to, or is found guilty of, an offense committed after August 1, 1999, which is described in subdivision a of subsection 1 of section 12.1-20-03, section 12.1-20-03.1, or subdivision d of subsection 1 of section 12.1-20-03 if the person is an adult and the victim is under age twelve, or section 12.1-18-01 if that individual is an adult other than a parent of the victim, or an equivalent offense from another court in the United States, a tribal court, or court of another country; or
    - (3) Is assigned a high risk by the attorney general as provided in subsection 12.
9. An individual required to register under this section who violates this section is guilty of a class C felony. The failure of a homeless individual to register as required in subsections 2 and 3 is prima facie evidence of a violation of this section. The clerk of court shall forward all warrants issued for a violation of this section to the county sheriff, who shall enter all such warrants into the national crime information center wanted person file. A court may not relieve an individual, other than a juvenile, who violates this section from serving a term of at least ninety days in jail and completing probation of one year.
10. When an individual is released on parole or probation and is required to register pursuant to this section, but fails to do so within the time prescribed, the court shall order the probation, or the parole board shall order the parole, of the individual revoked.
11. If an individual required to register pursuant to this section is temporarily sent outside the facility or institution where that individual is confined under conviction or sentence, the local law enforcement agency having jurisdiction over the place where that individual is being sent must be notified within a reasonable time period before that individual is released from the facility or institution. This subsection does not apply to any individual temporarily released under guard from the facility or institution in which that individual is confined.
12. The attorney general, with the assistance of the department and the juvenile courts, shall develop guidelines for the risk assessment of sexual offenders who are required to register, with a low-risk, moderate-risk, or high-risk level being assigned to each offender as follows:
  - a. The department shall conduct a risk assessment of sexual offenders who are incarcerated in institutions under the control of the

department and sexual offenders who are on supervised probation. The department, in a timely manner, shall provide the attorney general any information, including the offender's level of risk and supporting documentation, concerning individuals required to be registered under this section who are about to be released or placed into the community.

- b. The attorney general shall conduct a risk assessment of sexual offenders who are not under the custody or supervision of the department. The attorney general may adopt a law enforcement agency's previous assignment of risk level for an individual if the assessment was conducted in a manner substantially similar to the guidelines developed under this subsection.
  - c. The juvenile courts or the agency having legal custody of a juvenile shall conduct a risk assessment of juvenile sexual offenders who are required to register under this section. The juvenile courts or the agency having legal custody of a juvenile shall provide the attorney general any information, including the offender's level of risk and supporting documentation, concerning juveniles required to register and who are about to be released or placed into the community.
  - d. The attorney general shall notify the offender of the risk level assigned to that offender. An offender may request a review of that determination with the attorney general's sexual offender risk assessment committee and may present any information that the offender believes may lower the assigned risk level.
13. An individual assessed as a high-risk sexual offender in accordance with subsection 12, may not reside within five hundred feet [152.4 meters] of a public or nonpublic preschool or elementary, middle, or high school.
14. Relevant and necessary conviction and registration information must be disclosed to the public by a law enforcement agency if the individual is a moderate or high risk and the agency determines that disclosure of the conviction and registration information is necessary for public protection. The attorney general shall develop guidelines for public disclosure of offender registration information. Public disclosure may include internet access if the offender:
- a. Is required to register for a lifetime under subsection 8;
  - b. Has been determined to be a high risk to the public by the department, the attorney general, or the courts, according to guidelines developed by those agencies; or
  - c. Has been determined to be a high risk to the public by an agency of another state or the federal government.

If the offender has been determined to be a moderate risk, public disclosure must include, at a minimum, notification of the offense to the victim registered under chapter 12.1-34 and to any agency, civic organization, or group of persons who have characteristics similar to those of a victim of the offender. Upon request, law enforcement agencies may release conviction and registration information regarding low-risk, moderate-risk, or high-risk offenders.

- ~~14-15.~~ A state officer, law enforcement agency, or public school district or governing body of a nonpublic school or any appointee, officer, or employee of those entities is not subject to civil or criminal liability for making risk determinations, allowing a sexual offender to attend a school function under section 12.1-20-25, or for disclosing or for failing to disclose information as permitted by this section.



- ~~15-16.~~ If a juvenile is adjudicated delinquent and required or ordered to register as a sexual offender or as an offender against a child under this section, the juvenile shall comply with the registration requirements in this section. Notwithstanding any other provision of law, a law enforcement agency shall register a juvenile offender in the same manner as adult offenders and may release any relevant and necessary information on file to other law enforcement agencies, the department of human services, or the public if disclosure is necessary to protect public health or safety. The law enforcement agency shall release any relevant and necessary information on file to the superintendent or principal of the school the juvenile attends. The school administration shall notify others in similar positions if the juvenile transfers to another learning institution in or outside the state.
- ~~16-17.~~ If an individual has been required to register as a sexual offender or an offender against a child under section 12.1-32-15 or 27-20-52.1 before August 1, 1999, the individual may petition the court to be removed from the offender list if registration is no longer mandatory for that individual. In considering the petition, the court shall comply with the requirements of this section.
- ~~17-18.~~ A sexual offender who is currently assigned a moderate or high-risk level by the attorney general may not use a state park of this state as a residence or residential address to comply with the registration requirements of this section. Before arriving at a state park for overnight lodging or camping, a sexual offender who is assigned a moderate or high-risk level by the attorney general shall notify a parks and recreation department law enforcement officer at the state park where the sexual offender will be staying."

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1341**

Page 1, line 2, remove "the"

Page 1, line 3, remove "elimination of"

Page 1, line 4, after "schools" insert "; and to provide a penalty"

Page 2, line 14, overstrike ", at the time of"

Page 2, line 14, after "offense" insert "is committed during the hours of six a.m. to ten p.m. when school is in session or during a regularly school-sponsored activity and"

Page 2, line 14, remove the overstrike over "~~, or within~~"

Page 2, line 15, after the overstruck closing bracket insert "three hundred feet [91.4 meters]"

Page 2, line 15, remove the overstrike over "of"

Page 2, line 16, remove the overstrike over "~~or a public career and technical education school~~"

Page 2, line 24, after "offense" insert "was committed during the hours of six a.m. to ten p.m. when school is in session or during a regularly school-sponsored activity and"

Page 2, line 25, remove the overstrike over "~~, or within~~"

Page 2, line 26, after the overstruck closing bracket insert "three hundred feet [91.4 meters]"

Page 2, line 26, remove the overstrike over "of,"

Page 2, line 27, remove the overstrike over "~~public career and~~"

Page 2, remove the overstrike over line 28

Page 2, line 30, replace the underscored comma with an underscored semicolon

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1374**

Page 1, line 18, remove "seven"

Page 1, line 18, overstrike "hundred"

Page 1, line 18, remove "fifty"

Page 1, line 18, overstrike "thousand" and insert immediately thereafter "one million"

Page 1, line 19, after "the" insert "upper Red River, lower"

Page 2, line 2, overstrike "adopt a cost-share policy for the financing of water"

Page 2, line 3, overstrike "projects. The policy" and insert immediately thereafter "review, gather stakeholder input on, and rewrite as necessary the commission's "Cost-share Policy, Procedure and General Requirements" and "Project Prioritization Guidance" documents. The commission's cost-share policy"

Page 2, line 10, replace the first underscored comma with "and"

Page 2, line 10, remove "and"

Page 2, line 11, replace "improvements" with "including removal of vegetative materials and sediment."

Page 4, line 22, remove the overstrike over "~~who shall take into account~~"

Page 4, line 23, remove the overstrike over "~~reasonable geographic considerations in-making~~"

Page 4, line 23, after "such" insert "the"

Page 4, line 23, remove the overstrike over "~~appointments~~" and insert immediately thereafter "with the intent of having each of the seven major drainage basins represented by a commissioner who resides in the basin. The major drainage basins are the upper Missouri River basin, the lower Missouri River basin, the James River basin, the upper Red River basin, the lower Red River basin, the Mouse River basin, and the Devils Lake basin"

Page 4, line 23, remove the overstrike over "~~The governor or the~~"

Page 4, remove the overstrike over line 24

Page 4, line 25, remove the overstrike over "~~capacity at~~"

Page 4, line 25, remove the overstrike over "~~meetings~~"

Page 4, line 25, remove the overstrike over "~~that official~~"

Page 4, line 25, overstrike "may be" and insert immediately thereafter "is"

Page 4, line 25, remove the overstrike over "~~unable to attend.~~"

Page 4, line 25, remove "Each of the six major"

Page 4, remove lines 26 through 28

Page 5, line 13, after "**commission**" insert "**- Chairman and vice chairman**"

Page 5, line 17, remove the overstrike over "governor, as"

Page 5, line 17, remove the overstrike over the second overstruck comma

Page 5, line 18, remove the overstrike over "governor's"

Page 5, line 18, remove "chairman's"

Page 5, line 18, remove the overstrike over the overstruck comma

Page 5, line 18, after the period insert "The seven appointed members of the commission shall select an appointed member to serve as vice chairman of the commission."

Page 6, line 17, replace "and" with "or"

Page 6, line 17, replace "or improvement" with ", including removal of vegetative materials and sediment."

Page 7, line 5, remove "may not have a term exceeding four years. If a water project is not"

Page 7, replace lines 6 through 8 with "must require a progress report to the commission at least every four years if the term of the project exceeds four years. If a progress report is not timely received or, if after a review of a progress report, the commission determines the project has not made sufficient progress, the commission may terminate the agreement for project funding. The project sponsor may submit a new application to the commission for funding for a project for which the commission previously terminated funding."

Page 7, replace lines 25 through 28 with "Except for flood control projects authorized by the legislative assembly or the commission before July 1, 2017, the commission shall calculate the amount of its financial assistance, including loans, grants, cost-share, and issuance of bonds, based on the needs for protection of health, property, and enterprise, against:

1. One hundred year flood events as provided by a federal agency;
2. The national economic development alternative; or
3. The local sponsor's preferred alternative if the commission first determines the historical flood prevention costs and flood damages, and the risk of future flood prevention costs and flood damages, warrant protection to the level of the local sponsor's preferred alternative.

Page 8, line 3, replace "If" with "Notwithstanding any other provision of law, if"

Page 8, line 4, after "dam's" insert "current"

Page 8, line 5, replace "state" with "the political subdivision shall pay for the necessary improvements or upgrades. State"

Page 8, line 6, after the underscored period insert "For purposes of this section, "breach inundation zone" means the area downstream of the dam which would be flooded in the event of a dam failure or uncontrolled release of water."

Renumber accordingly

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1392

Page 1, line 2, replace "a presumption of equal" with "shared"

Page 1, line 12, remove ""Equal parenting time and residential responsibility" means each parent has the child"

Page 1, remove lines 13 through 15

Page 1, line 16, remove "3."

Page 1, line 18, remove the overstrike over "3:"

Page 1, line 18, remove "4."

Page 1, line 20, remove the overstrike over "4:"

Page 1, line 20, remove "5."

Page 1, line 22, remove the overstrike over "5:"

Page 1, line 22, remove "6."

Page 1, line 23, remove the overstrike over "6:"

Page 1, line 23, remove "7."

Page 2, line 1, remove the overstrike over "7:"

Page 2, line 1, remove "8."

Page 2, after line 2, insert:

"8. "Shared parenting time and residential responsibility" means each parent has the child in that parent's care for a time that is as close to fifty percent of the time as can be arranged based on the circumstances but which is not less than thirty-five percent of the time."

Page 2, line 13, remove "In any proceeding dealing with parental rights and responsibilities, there is a"

Page 2, replace lines 14 through 18 with "In any initial proceeding dealing with parental rights and responsibilities in which one party requests shared parenting time and residential responsibility, the court shall articulate in its decision the rationale for either awarding or denying the request for shared parenting time and residential responsibility."

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1403**

Page 1, line 2, remove "; and to provide an"

Page 1, line 3, remove "exemption"

Page 1, line 9, replace the second "the" with "a"

Page 1, line 9, after the second "coverage" insert "contract received in response to a request for bids under section 54-52.1-04"

Page 1, line 10, replace the second "the" with "either contracted directly with a pharmacy benefits manager or indirectly through the health insurer, in addition to the factors set forth under section 54-52.1-04 the board shall consider and give preference to an"

Page 1, line 10, remove "with the"

Page 1, line 11, replace "board must include the following terms" with "that"

Page 1, line 12, remove "The insurer shall provide the board with a copy of the insurer's current contract"

Page 1, replace lines 13 through 15 with "Provides the board or the board's auditor with a copy of the insurer's current contract with the pharmacy benefit management company which controls the prescriptions drug coverage offered as part of the health"

insurance benefits coverage, and if the contract is revised or a new contract is entered, requires the insurer to provide the board with the revision or new contract within thirty days of the change."

Page 1, line 16, remove "The health insurer or pharmacy benefit manager shall provide with each invoice"

Page 1, replace lines 17 through 19 with "Provides the board with monthly claims data and information on all programs being implemented or modified, including prior authorization, step therapy, mandatory use of generic drugs, or quantity limits"

Page 1, line 20, remove "The health insurer shall provide the board a list of all programs that will be"

Page 1, replace lines 21 through 23 with "Describes the extent to which the board may customize the benefit plan design, including copayments, coinsurance, deductibles, and out of pocket limits; the drugs that are covered; the formulary; and the member programs implemented"

Page 2, line 1, remove "(1) The board may retain an auditor of the board's choice which is not a"

Page 2, replace lines 2 through 12 with "Describes the audit rights of the board.

2. The board may conduct annual audits to the extent permitted under the contract terms agreed to under subsection 1. The audits must include:
  - a. A review of a complete set of electronic prescription coverage claims data reflecting all submitted claims, including information fields identified by the board.
  - b. A review of a list of all programs that have been implemented or modified during the audit period under subsection 1, and in connection with each program the auditor shall report on the cost, the cost savings or avoidance, member disruption, the process for and number of overrides or approvals and disapprovals, and clinical outcomes.
  - c. Recommendations for proposed changes to the prescription drug benefit programs to decrease costs and improve plan beneficiaries' health care treatment."

Page 2, line 13, replace "2." with "3."

Page 2, after line 16 insert:

- "4. The board may retain an auditor of the board's choice which is not a competitor of the pharmacy benefit manager, a pharmaceutical manufacturer representative, or any retail, mail, or specialty drug pharmacy representative or vendor."

Page 2, remove lines 17 and 18

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1418**

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 statements of interests.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - STATEMENTS OF INTERESTS.** During the 2017-18 interim, the legislative management shall consider studying the purpose and content of statements of interests and the forms and

information required to be filed, including the appropriate financial interests and other necessary content. The study must include consideration of whether supplementary statements or updates of information are necessary and a determination as to who is required to file statements of interest and who should be filing statements of interest. The study also must include a review of filing deadlines and consideration of how long records should be retained. 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

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1233.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1233**

Page 1, line 1, remove "a new subdivision to subsection 2 of section 62.1-02-05"

Page 1, line 2, remove "and"

Page 1, line 3, remove "possessing a firearm or dangerous weapon at a public gathering and"

Page 1, line 4, remove "subdivision a of subsection 6 of"

Page 1, line 5, replace "section 62.1-02-13" with "subdivision m of subsection 2 of section 62.1-02-05"

Page 1, line 5, remove "secured"

Page 1, line 5, after "firearm" insert "or dangerous weapon at a public gathering"

Page 1, line 5, after the semicolon insert "to provide for a legislative management study;"

Page 1, replace lines 8 through 17 with:

**"SECTION 1. AMENDMENT.** Subdivision m of subsection 2 of section 62.1-02-05 of the North Dakota Century Code is amended and reenacted as follows:

- m. A state, federal, or municipal court judge, a district court magistrate judge or judicial referee, a staff member of the office of attorney general, and a retired North Dakota law enforcement officer, if the individual maintains the same level of firearms proficiency as is required by the peace officer standards and training board for law enforcement officers. A local law enforcement agency shall issue a certificate of compliance under this section to an individual who is proficient."

Page 1, line 23, replace "subdivision a" with "this chapter"

Page 2, after line 2, insert:

**"SECTION 3. LEGISLATIVE MANAGEMENT STUDY - FIREARMS AND WEAPONS LAWS.** During the 2017-18 interim, the legislative management shall consider studying those provisions of the North Dakota Century Code that relate to firearms and weapons, for the purpose of eliminating provisions that are irrelevant or duplicative, clarifying provisions that are inconsistent or unclear in their intent and direction, and rearranging provisions in a logical order. 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

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

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1333.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1097, HB 1110, HB 1116, HB 1134, and HB 1150.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1045, HB 1166, HB 1194, and HB 1339, and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

**HB 1045:** Reps. Headland; Dockter; Mitskog

**HB 1166:** Reps. Dockter; Grueneich; Mitskog

**HB 1194:** Reps. Klemin; Blum; Hanson

**HB 1339:** Reps. B. Koppelman; C. Johnson; Rohr

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2053, SB 2136, SB 2151, SB 2193, SB 2195, SB 2201, SB 2283, SB 2300, and SB 2330.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2188, SB 2200, SB 2223, SB 2239, SB 2247, and SB 2311, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2188:** Sens. Klein; Burckhard; Roers

**SB 2200:** Sens. Bekkedahl; Cook; Meyer

**SB 2223:** Sens. Burckhard; Casper; Marcellais

**SB 2239:** Sens. Casper; Campbell; Nelson

**SB 2247:** Sens. Rust; Laffen; Clemens

**SB 2311:** Sens. Roers; Campbell; Marcellais

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1249.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2258.

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

**MR. SPEAKER:** The President has signed: HB 1249.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1128.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2258.

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

**MR. SPEAKER:** The President has signed: SB 2258.

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

**MR. SPEAKER:** The Senate has sustained the Governor's veto on HB 1153. The vote was 13 YEAS, 33 NAYS, 1 ABSENT AND NOT VOTING.

**MOTION**

**REP. VIGESAA MOVED** that the absent members be excused, which motion prevailed on a voice vote.

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until

12:30 p.m., Friday, March 31, 2017, which motion prevailed on a voice vote.

#### REPORT OF STANDING COMMITTEE

**SB 2042, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2042 was placed on the Sixth order on the calendar.

Page 1, line 15, overstrike "for purposes of"

Page 1, line 16, overstrike "detoxification"

Page 1, line 21, overstrike "present within hearing distance" and insert immediately thereafter "monitoring the individual"

Page 3, line 28, after "~~16.~~" insert "15."

Page 3, line 28, remove the overstrike over ""Includes" should be read as if the phrase "but is not limited to" were also set forth."

Page 3, line 29, replace "15." with "16."

Page 4, line 1, replace "16." with "17."

Page 4, line 2, replace "17." with "18."

Page 4, line 5, replace "18." with "19."

Page 4, line 7, replace "19." with "20."

Page 4, line 9, replace "20." with "21."

Page 4, line 13, replace "21." with "22."

Page 4, line 14, replace "22." with "23."

Page 4, line 19, replace "23." with "24."

Page 4, line 23, replace "24." with "25."

Page 4, line 28, replace "25." with "26."

Page 5, line 5, replace "26." with "27."

Page 5, line 9, replace "27." with "28."

Page 5, line 11, replace "28." with "29."

Page 5, line 13, replace "29." with "30."

Page 5, line 20, replace "30." with "31."

Page 14, line 29, replace "or" with an underscored comma

Page 14, line 30, after "43-47" insert ", or a licensed marriage and family therapist licensed under chapter 43-53"

Page 15, line 1, remove "a licensed marriage and family therapist"

Page 15, line 2, remove "licensed under chapter 43-53."

Page 15, line 3, remove the underscored comma

Renumber accordingly



**REPORT OF STANDING COMMITTEE**

**SB 2088, as engrossed and amended: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2088, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1075 of the House Journal, Engrossed Senate Bill No. 2088 is amended as follows:

Page 1, line 13, remove "individuals"

Page 1, line 13, overstrike "regarding"

Page 1, line 13, remove "the"

Page 1, line 13, overstrike "use"

Page 1, line 13, overstrike "of"

Page 1, line 13, remove "tobacco, nicotine,"

Page 1, line 13, overstrike "alcohol"

Page 1, line 13, remove the third underscored comma

Page 1, line 13, overstrike "or"

Page 1, line 14, remove "other harmful"

Page 1, line 14, overstrike "substance"

Page 1, line 14, remove ": the engagement in gambling; or the use of any"

Page 1, remove lines 15 and 16

Page 1, line 17, replace "to disorders recognized" with "an individual regarding a substance-related or addictive disorder identified"

Page 1, line 18, remove ", or a"

Page 1, line 19, remove "future edition adopted by the board"

Page 4, line 17, replace "for" with "of an intern seeking"

Page 4, line 20, after "professionals" insert "who are"

Page 4, line 20, after "counselor" insert ", approved by the board,"

Page 4, line 21, after the underscored period insert "The other professional must be registered as a clinical supervisor by the board that licenses the other professional."

Page 9, line 15, replace "2023" with "2024"

Page 9, line 16, replace "2017" with "2018"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2206, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2206 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for the development of an implementation plan for state-funded county social services; and to provide for a report to the legislative assembly.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. DEPARTMENT OF HUMAN SERVICES - DEVELOPMENT OF AN IMPLEMENTATION PLAN FOR STATE-FUNDED COUNTY SOCIAL SERVICES - REPORT TO THE LEGISLATIVE ASSEMBLY.** During the 2017-18 interim, the department of human services shall develop an implementation plan for the eventual state funding of county social services and elimination of county human service levy authority under section 57-15-06.7. The plan must be developed in consultation with an advisory committee that must include at least four members of the legislative assembly and additional members selected by the executive director of the department. The development of the plan may include a proposed pilot project and must address the following items: options for efficiencies and aggregation and consolidation of county social services offices and organizations, including the potential reduction in county and other staff; considerations for oversight and chain of command within social services and human services; and recommendations for caseloads and outcomes for social services, designated child welfare services, and economic assistance. The development of the plan must consider the delivery of county social services to ensure appropriate and adequate levels of service continue under the structure proposed in an implementation plan. The implementation plan must be submitted to the sixty-sixth legislative assembly as part of the department of human services budget request and identify the estimated biennial cost of the plan upon full implementation."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2316, as engrossed and amended: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 1 NAYS, 4 ABSENT AND NOT VOTING).** Engrossed SB 2316, as amended, was placed on the Sixth order on the calendar.

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

Page 1, line 2, remove ", and 23-13-16"

Page 1, line 4, after the first comma insert "and"

Page 1, line 4, remove ", and aboveground"

Page 1, line 5, remove "petroleum storage tanks"

Page 2, line 8, replace "current international" with "state and local"

Page 2, line 8, remove "codes"

Page 2, line 9, remove the first "international"

Page 2, line 9, remove "of the international code council"

Page 2, line 11, remove the overstrike over "~~The state fire marshal may make reasonable provision for the application of~~"

Page 2, remove the overstrike over line 12

Page 2, line 18, remove "or private or public contracted fire service agency"

Page 3, line 6, remove "Architects and engineers preparing"

Page 3, line 6, overstrike "private" and insert immediately thereafter "Private"

Page 3, line 6, remove the overstrike over "~~must be~~"

Page 3, line 7, remove the overstrike over "submitted"

Page 3, line 7, remove "shall submit school plans and specifications"

Page 3, line 17, overstrike "architect or engineer preparing" and insert immediately thereafter "person that prepared"

Page 3, line 17, after the second "or" insert "the person that is"

Page 3, line 25, replace "The international building code" with "State and local fire and building codes"

Page 3, line 26, overstrike "The"

Page 3, line 26, remove "international fire code"

Page 3 line 26, overstrike the period

Page 3, line 27, overstrike "3."

Page 3, line 28, replace "4." with "3."

Page 3, remove lines 29 and 30

Page 4, remove lines 1 through 10

Renumber accordingly

The House stood adjourned pursuant to Representative Vigesaa's motion.

**Buell J. Reich, Chief Clerk**

