

JOURNAL OF THE SENATE

Sixty-fourth Legislative Assembly

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Bismarck, February 17, 2015

The Senate convened at 12:30 p.m., with President Pro Tempore Dever presiding.

The prayer was offered by Pastor LaRue Goetz, Revival Prayer Fellowship, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President Pro Tempore.

MOTION

SEN. KLEIN MOVED that SB 2134, which is on the Sixth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2134 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2175, as engrossed: SEN. KLEIN (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2014: SEN. WANZEK (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2002: SEN. CARLISLE (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2361: SEN. MURPHY (Industry, Business and Labor Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2004: SEN. WANZEK (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2283: SEN. KLEIN (Industry, Business and Labor Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2005: SEN. ROBINSON (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2075: SEN. DAVISON (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2336: SEN. KLEIN (Industry, Business and Labor Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which

motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2087: SEN. HECKAMAN (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2008: SEN. CARLISLE (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2021: SEN. ROBINSON (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2242: A BILL for an Act to provide for an appropriation for veterans' spouses and dependents burial fees at the veterans' cemetery.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; 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; Warner

SB 2242 passed.

SECOND READING OF SENATE BILL

SB 2279: A BILL for an Act to amend and reenact sections 14-02.4-01, 14-02.4-02, 14-02.4-03, 14-02.4-04, 14-02.4-05, 14-02.4-06, 14-02.4-08, 14-02.4-09, 14-02.4-14, 14-02.4-15, 14-02.4-16, 14-02.4-17, 14-02.5-02, 14-02.5-03, 14-02.5-04, 14-02.5-05, 14-02.5-07, 14-02.5-08, and 14-02.5-10, subsection 11 of section 26.1-04-03, subsection 1 of section 26.1-30.1-01.1, subsection 1 of section 26.1-39-17, and sections 26.1-40-11, 26.1-47-04, and 27-09.1-02 of the North Dakota Century Code, relating to prohibition of discrimination on the basis of sexual orientation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 25 YEAS, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axness; Bekkedahl; Davison; Dever; Dotzenrod; Flakoll; Grabinger; Heckaman; Holmberg; Krebsbach; Laffen; Lee, J.; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Oehlke; Robinson; Schneider; Sinner; Sorvaag; Triplett; Warner

NAYS: Anderson; Armstrong; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Erbele; Hogue; Kilzer; Klein; Larsen; Lee, G.; Luick; Miller; Poolman; Rust; Schaible; Unruh; Wanzek; Wardner

SB 2279 passed.

SECOND READING OF SENATE BILL

SB 2358: A BILL for an Act to authorize the department of human services to convey land in Walsh County.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; 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; Warner

Engrossed SB 2358 passed.

SECOND READING OF SENATE BILL

SB 2318: A BILL for an Act to create and enact a new section to chapter 57-39.2 and a new subdivision to subsection 4 of section 57-40.2-03.3 of the North Dakota Century Code, relating to a sales and use tax exemption for carbon dioxide capture equipment used for enhanced oil recovery; to amend and reenact section 57-60-06 of the North Dakota Century Code, relating to ad valorem property tax exemption for carbon dioxide capture equipment used for enhanced oil recovery; to provide for a legislative management study; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Warner

Engrossed SB 2318 passed.

SECOND READING OF SENATE BILL

SB 2348: A BILL for an Act to amend and reenact section 32-03.1-02.3 of the North Dakota Century Code, relating to training in the use of automated external defibrillators.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; 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; Warner

Engrossed SB 2348 passed.

SECOND READING OF SENATE BILL

SB 2222: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to open records requests submitted by members of the legislative assembly and the legislative council.

ROLL CALL

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

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

NAYS: Burckhard; Larsen; Miller

Engrossed SB 2222 passed.

SECOND READING OF SENATE BILL

SB 2174: A BILL for an Act to provide for a legislative management study of the state's health care delivery system.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; 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; Warner

SB 2174 passed.

SECOND READING OF SENATE BILL

SB 2148: A BILL for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an enhanced operator's license.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 0 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; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Unruh; Wanzek; Wardner; Warner

NAYS: Larsen; Triplett

Engrossed SB 2148 passed.

SECOND READING OF SENATE BILL

SB 2365: A BILL for an Act to amend and reenact section 44-04-09 of the North Dakota Century Code, relating to nepotism.

ROLL CALL

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

YEAS: Lee, J.

NAYS: 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.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2365 failed.

SECOND READING OF SENATE BILL

SB 2277: A BILL for an Act to amend and reenact section 54-55-01 of the North Dakota Century Code, relating to membership on the commission on uniform state laws.

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; 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; Warner

ABSENT AND NOT VOTING: Holmberg

SB 2277 passed.

SECOND READING OF SENATE BILL

SB 2338: A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to county emergency management access to well sites, pipelines, and waste disposal sites.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 39 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Axness; Bowman; Marcellais; Mathern; Nelson; O'Connell; Sinner; Warner

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

SB 2338 failed.

SECOND READING OF SENATE BILL

SB 2194: A BILL for an Act to create and enact section 43-58-11 of the North Dakota Century Code, relating to the regulation of naturopaths; and to amend and reenact sections 43-58-01 and 43-58-08 of the North Dakota Century Code, relating to the regulation of naturopaths.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 22 YEAS, 25 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Burckhard; Campbell; Cook; Dever; Dotzenrod; Flakoll; Heckaman; Klein; Laffen; Lee, J.; Luick; Mathern; Miller; Nelson; Poolman; Robinson; Rust; Schaible; Sorvaag; Unruh

NAYS: Axness; Bekkedahl; Bowman; Carlisle; Casper; Davison; Erbele; Grabinger; Hogue; Holmberg; Kilzer; Krebsbach; Larsen; Lee, G.; Marcellais; Murphy; O'Connell; Oban; Oehlke; Schneider; Sinner; Triplett; Wanzek; Wardner; Warner

Engrossed SB 2194 failed.

SECOND READING OF SENATE BILL

SB 2081: A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota Century Code, relating to immunity for a person providing foster care for approving reasonable and prudent activities; and to amend and reenact section 50-11-00.1 of the North Dakota Century Code, relating to definitions used in foster care homes for children and adults.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; 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; Warner

Engrossed SB 2081 passed.

SECOND READING OF SENATE BILL

SB 2023: A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Warner

Engrossed SB 2023 passed and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2333: A BILL for an Act to amend and reenact section 5-02-06 of the North Dakota Century Code, relating to individuals under twenty-one years of age allowed in alcoholic beverage establishments.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; 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; Warner

Engrossed SB 2333 passed.

SECOND READING OF SENATE BILL

SB 2331: A BILL for an Act to amend and reenact sections 28-01-25.1 and 29-04-03.1 of the North Dakota Century Code, relating the statute of limitations on the prosecution of and claim for relief on actions alleging childhood sexual abuse.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; 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; Warner

Engrossed SB 2331 passed.

SECOND READING OF SENATE BILL

SB 2065: A BILL for an Act to amend and reenact sections 50-10.1-02, 50-10.1-04, 50-10.1-05, and 50-10.1-07 of the North Dakota Century Code, relating to appointment of state and local ombudsmen, ombudsmen access to facilities and records, posting information about the ombudsman program, and confidentiality of ombudsman records and files.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; 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; Warner

Engrossed SB 2065 passed.

SECOND READING OF SENATE BILL

SB 2260: A BILL for an Act to provide for an economic impact grant program for political subdivisions; to provide for a transfer; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 17 YEAS, 29 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axness; Dotzenrod; Grabinger; Heckaman; Lee, G.; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Robinson; Schneider; Sinner; Sorvaag; Triplett; Wanzek

NAYS: Anderson; Armstrong; Bekkedahl; Bowman; Burckhard; Carlisle; Casper; Cook; Davison; Dever; Erbele; Flakoll; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, J.; Luick; Miller; Oehlke; Poolman; Rust; Schaible; Unruh; Wardner; Warner

ABSENT AND NOT VOTING: Campbell

SB 2260 failed.

SECOND READING OF SENATE BILL

SB 2074: A BILL for an Act to amend and reenact section 15.1-21-02.6 of the North Dakota Century Code, relating to the scholarship eligibility of students enrolled in external experiences.

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; 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; Warner

ABSENT AND NOT VOTING: Campbell

SB 2074 passed.

SECOND READING OF SENATE BILL

SB 2271: A BILL for an Act to create and enact section 4-01-31 of the North Dakota Century Code, relating to a pipeline restoration and reclamation oversight program; to provide an appropriation; 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 38 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Anderson; Axness; Larsen; Mathern; Nelson; Sinner; Triplett; Warner

ABSENT AND NOT VOTING: Campbell

Engrossed SB 2271 passed and the emergency clause was declared carried.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2181, SB 2217, SB 2259, SB 2323, SB 2324, SB 2367, SCR 4016.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2206.

MOTION

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

MOTION

SEN. KLEIN MOVED that the Senate be on the Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Wednesday, February 18, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2027, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2027 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2144: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2144 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "subsection 8 of"

Page 1, line 5, remove "section 2-06-10,"

Page 4, remove lines 6 through 18

Page 5, line 11, remove the overstrike over "but"

Page 5, line 12, remove the overstrike over "~~this levy shall not apply to any city, township, or park district that already has an airport levy~~"

Page 5, line 12, remove "A"

Page 5, remove lines 13 through 19

Page 10, line 9, remove the overstrike over "noxious"

Page 10, line 11, after "control" insert "noxious"

Page 10, line 12, replace "grass" with "undesirable vegetation"

Page 19, line 14, after "electors" insert an underscored comma

Page 19, line 16, after "years" insert "or the period of time necessary for repayment of indebtedness incurred which was intended to be repaid from the increased levy"

Page 62, line 10, replace "44.1-47-14" with "4.1-47-14"

Page 72, line 14, after the period insert "A township levy for roads approved by qualified electors of a township under this section before January 1, 2015, may continue to be imposed for five taxable years or the period of time for which it was approved by the electors, whichever is less, under the provisions of law in effect at the time it was

approved. After January 1, 2015, approval by electors of increased levy authority under this section may not be effective for more than five taxable years."

Page 73, line 28, replace "ten" with "five"

Page 73, line 31, replace "ten" with "five"

Page 87, line 13, replace "108" with "107"

Page 87, line 14, replace "109" with "108"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2150, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2150 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2202, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2202 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2269: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2269 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2315: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2315 was placed on the Sixth order on the calendar.

Page 1, line 18, replace "three" with "one"

Page 1, line 19, overstrike "injury to"

Page 1, line 19, remove "thirteen"

Page 1, line 19, overstrike "or more persons during" and insert immediately thereafter "any number of claims arising from"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2322, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2322 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2329: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2329 was placed on the Sixth order on the calendar.

Page 1, line 17, after "census" insert "or federal census estimate"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2371: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2371 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "with the authority to" with "for the limited purpose of adjudicating a violation of a noncriminal city ordinance or noncriminal city code. The administrative board or committee may"

Page 1, line 8, remove "administrative"

Page 1, line 9, after "including" insert "issuing"

Page 1, line 9, replace "or" with "and"

Page 1, line 9, after "revocation" insert "of a permit or license. A decision by the administrative board or committee is subject to appeal as provided by ordinance"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4004: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4004 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4006: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4006 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4010: 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). SCR 4010 was placed on the Sixth order on the calendar.

Page 1, line 14, remove the overstrike over the overstruck comma

Page 1, line 15, after "election" insert "during the entire term for which selected"

Page 1, line 15, remove the overstrike over the overstruck comma

Page 1, line 15, overstrike "chosen" and insert immediately thereafter "selected"

Page 1, line 17, after "assembly" insert ". Each house of the legislative assembly shall adopt rules regarding confirmation and verification of the qualifications, as required under this section, of its members throughout the term for which elected"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4019: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4019 was placed on the Sixth order on the calendar.

Page 1, line 4, after "state" insert ", including determining whether the community volunteers would be covered in the case of an accident or injury, the scope and conditions of coverage, and the overall cost to insure community volunteers"

Page 1, line 18, after "state" insert ", including determining whether the community volunteers would be covered in the case of an accident or injury, the scope and conditions of coverage, and the overall cost to insure community volunteers"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4021: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4021 was placed on the Eleventh order on the calendar.

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

Jane Schaible, Secretary