

## JOURNAL OF THE SENATE

## Fifty-fourth Legislative Assembly

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Bismarck, January 23, 1995

The Senate convened at 1:30 p.m., with President Myrdal presiding.

The prayer was offered by Pastor Glenn Ramsey, First Presbyterian Church, Bismarck.

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

A quorum was declared by the President.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2095, SB 2129, SB 2136, SB 2157, SB 2184, SB 2185, SB 2201, SB 2204, SB 2222, SB 2223, SB 2268.

**MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)**

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1074, HB 1085, HB 1096, HB 1101, HB 1141, HB 1145, HB 1147, HB 1149, HB 1154, HB 1157, HB 1194, HB 1202.

**CONSIDERATION OF AMENDMENTS**

SB 2018: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments on SJ pages 175-176 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

SB 2035: SEN. THANE (Human Services Committee) MOVED that the amendments on SJ page 176 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

SB 2110: SEN. GRINDBERG (Education Committee) MOVED that the amendments on SJ pages 176-177 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

SB 2124: SEN. WANZEK (Education Committee) MOVED that the amendments on SJ page 177 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

SB 2230: SEN. MUTCH (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 177 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

SB 2240: SEN. TRAYNOR (Judiciary Committee) MOVED that the amendments on SJ pages 177-178 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

**MOTION**

SEN. GRINDBERG MOVED that SB 2277 be returned to the Senate floor from the Industry, Business and Labor Committee for the purpose of withdrawal, which motion prevailed.

**REQUEST**

SEN. GRINDBERG REQUESTED the unanimous consent of the Senate to withdraw SB 2277. There being no objection, it was so ordered by the President.

**MOTION**

**SEN. NETHING MOVED** that SB 2370 be returned to the Senate floor from the **Human Services Committee** for the purpose of withdrawal, which motion prevailed.

**REQUEST**

**SEN. NETHING REQUESTED** the unanimous consent of the Senate to withdraw SB 2370. There being no objection, it was so ordered by the President.

**SECOND READING OF SENATE BILL**

**SB 2101:** A BILL for an Act to adopt the Uniform Correction or Clarification of Defamation Act; and to repeal section 14-02-08 of the North Dakota Century Code, relating to libel suits against newspapers.

**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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Scherber

Engrossed SB 2101 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2096:** A BILL for an Act to provide for a block house 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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Scherber

Engrossed SB 2096 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2141:** A BILL for an Act to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to the payment of state taxes by credit or debit card.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 22 YEAS, 26 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Kringstad; LaFountain; Langley; Lindaas; Lips; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Tallackson; Tomac; Urlacher; Wogsland; Yockim

**NAYS:** Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Lee; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Wanzek; Watne

**ABSENT AND NOT VOTING:** Scherber

Engrossed SB 2141 lost.

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#### SECOND READING OF SENATE BILL

**SB 2176:** A BILL for an Act to amend and reenact section 18-04-05 and subsection 1 of section 26.1-03-17 of the North Dakota Century Code, relating to payments from the insurance tax distribution fund and allocation of the insurance premium tax.

#### 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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Scherber

Engrossed SB 2176 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2203:** A BILL for an Act to create and enact four new sections to chapter 61-24.5 of the North Dakota Century Code, relating to the operation and maintenance fund and the replacement fund of the southwest water authority; to amend and reenact sections 61-24.3-14, 61-24.3-15, 61-24.3-16, and 61-24.3-17 of the North Dakota Century Code, relating to the operation and maintenance fund and reserve fund for replacement for the southwest pipeline project; to provide for the transfer of equipment; to provide an appropriation; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**NAYS:** DeMers; O'Connell

**ABSENT AND NOT VOTING:** Scherber

Engrossed SB 2203 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2244:** A BILL for an Act to amend and reenact subsection 1 of section 39-10-22 of the North Dakota Century Code, relating to intersection right-of-way rules.

**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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Scherber

Engrossed SB 2244 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2027:** A BILL for an Act to provide an appropriation for defraying the expenses of the workers compensation bureau and its divisions; and to provide authorization to expend funds from the workers' compensation contingency line item.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

**NAYS:** Kelsh; LaFountain; O'Connell; Yockim

**ABSENT AND NOT VOTING:** Scherber

SB 2027 passed and the title was agreed to.

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**MOTION**

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

**MOTION**

**SEN. GOETZ MOVED** that the Senate be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, January 24, 1995, which motion prevailed.

## REPORT OF STANDING COMMITTEE

SB 2034: Human Services Committee (Sen. Thane, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2034 was placed on the Sixth order on the calendar.

Page 2, line 24, remove "after the effective"

Page 2, line 25, remove "date of this Act,"

Page 2, line 27, replace ", valued at" with "acquired, as an ongoing operation after" and replace "lower" with "effective date"

Page 2, line 28, replace "purchase price or appraised value" with "this Act"

Page 2, line 29, remove "determined from the seller's fixed asset records"

Page 3, line 14, remove "based on an annually"

Page 3, remove line 15

Page 3, line 16, remove "bed, excluding land and movable equipment and"

Page 3, line 17, after "or" insert "related to projects"

ReNUMBER accordingly

## REPORT OF STANDING COMMITTEE

SB 2037: Human Services Committee (Sen. Thane, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2037 was placed on the Sixth order on the calendar.

Page 1, line 5, after the sixth comma insert "50-01-13,"

Page 1, line 11, remove "50-01-13,"

Page 2, line 7, overstrike "work" and remove "to"

Page 7, line 14, after the period insert:

"SECTION 10. AMENDMENT. Section 50-01-13 of the North Dakota Century Code is amended and reenacted as follows:

**50-01-13. Medical attention and hospitalization furnished poor.** In case of necessity, the county social service board promptly shall provide medical and surgical attention for any poor person in the county who is not provided for in a public institution. ~~In a county where a county physician has been appointed on an annual salary, such physician must be called to attend such poor person.~~ The county social service board shall cause to be furnished to ~~such poor~~ the person the medicines prescribed by ~~the~~ a physician. In all cases where, in the opinion of the county social service board, hospitalization is necessary, it must be furnished by the county upon approval or subsequent ratification ~~by the county physician and the board, or by the board in a county having no county physician. Where such~~ If the poor person is a nonresident of the state, the county furnishing ~~such~~ the medical or surgical attention ~~from and after January 2, 1951,~~ must be reimbursed within the limits of funds appropriated for ~~such~~ that purpose by the legislative assembly for eighty percent of the expenses incurred in carrying out ~~the provisions of~~ this section. ~~Such~~ The reimbursement must be made upon vouchers having the approval of the department of human services."

Page 22, line 15, remove "50-01-13,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2073: Natural Resources Committee (Sen. Traynor, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2073 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "Nonresidents" with "In any subsequent lottery, nonresidents" and after "may" insert "be allocated not more than five percent of the remaining licenses or permits in any unit or subunit"

Page 1, remove line 12

Page 1, line 13, remove "lottery for licenses and permits available after the first lottery"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2087: Human Services Committee (Sen. Thane, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2087 was placed on the Sixth order on the calendar for immediate second reading.

Page 1, line 1, remove "subsection 2 of"

Page 1, line 3, replace "an" with "a vulnerable"

Page 1, line 5, replace "Subsection 2 of section" with "Section"

Page 1, after line 7, insert:

**"12.1-31-07. Endangering ~~an~~ a vulnerable elderly adult - Penalty.**

1. In this section, unless the context otherwise requires:

- a. "Caregiver" means a person who is responsible for the care of ~~an~~ a vulnerable elderly adult as a result of a familial or legal relationship, or a person who has assumed responsibility for the care of ~~an~~ a vulnerable elderly adult. The term does not include a licensed health care provider from whom the vulnerable elderly adult is receiving services.
- b. "Elderly Vulnerable elderly adult" means a person sixty years of age or older who is suffering from a disease or infirmity associated with advanced age and manifested by physical, mental, or emotional dysfunctioning to the extent that the person is incapable of adequately providing for the person's own health or personal care."

Page 1, line 9, overstrike the second "an" and insert immediately thereafter "a vulnerable"

Page 1, line 13, after the second "the" insert "vulnerable"

Page 1, line 14, after "the" insert "vulnerable"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2092: Human Services Committee (Sen. Thane, Chairman) recommends

AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2092 was placed on the Sixth order on the calendar.

Page 1, remove lines 3 and 4

Page 1, line 5, remove "early childhood services provider;"

Page 1, remove lines 7 through 22

Page 2, remove lines 1 through 29

Page 3, remove lines 1 through 9

Page 3, remove the underscore under line 12

Page 3, line 13, remove the underscore under "and 50-11.1-06. A person", after "person" insert "who has been convicted of a crime against a child or is a sexual offender, as defined in section 12.1-32-15, or", and remove the underscore under "who has had an application for licensure or"

Page 3, remove the underscore under lines 14 through 20.

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

SB 2103: Natural Resources Committee (Sen. Traynor, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2103 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "transfer the balance of the solid waste management fund" with "amend and reenact section 23-29-07 of the North Dakota Century Code, relating to solid waste management facility permits"

Page 1, line 2, remove "to the general fund", replace "23-29-07.2" with "23-29-06, 23-29-06.1, 23-29-06.2, 23-29-06.3, 23-29-06.4", and after the second comma insert "and"

Page 1, line 3, remove", and 23-29-07.5"

Page 1, line 4, replace "fund" with "districts"

Page 1, replace lines 6 through 10 with:

"SECTION 1. AMENDMENT. Section 23-29-07 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

#### 23-29-07. Permits.

1. The department may issue permits for solid waste management facilities and solid waste transporters. It is unlawful for any person to own, operate, or use a facility for solid waste disposal or transport solid wastes without a valid permit. ~~Upon submission to the department of an application for a solid waste management facility permit, the applicant shall provide written notice of the application to the solid waste management district board of the district in which the facility is to be located.~~ Upon receipt of a permit application, the department shall give public notice, in the official newspaper of the county in which the facility is to be located, that the department is considering an application for a solid waste management facility. The notice must state the name of the applicant, the location of the facility, and

a description of the facility. The department shall require as a condition of a permit for a solid waste management facility, not owned or operated by the state or a political subdivision, that any entity that controls the permit holder agrees to accept responsibility for any remedial measures, closure and postclosure care, or penalties incurred by the permit holder. For purposes of this section, "control" means ownership or control, directly, indirectly, or through the actions of one or more persons of the power to vote twenty-five percent or more of any class of voting shares of a permit holder, or the direct or indirect power to control in any manner the election of a majority of the directors of a permit holder, or to direct the management or policies of a permit holder, whether by individuals, corporations, partnerships, trusts, or other entities or organizations of any type. All permits are nontransferable, are for a term of not more than ten years from the date of issuance, and are conditioned upon the observance of the laws of the state and the rules adopted under this chapter. ~~If the jurisdiction with zoning authority over the area in which the solid waste management facility is to be located has not held a public hearing regarding the siting of the facility, the solid waste management district board of the district in which the facility is to be located shall conduct a public meeting to receive comments regarding the siting of the facility before the department may issue a permit for the facility. If the solid waste management district board conducts a public meeting, the board shall forward a copy of the meeting minutes to the department.~~

2. For any permit application completed after July 1, 1994, the department shall notify the board of county commissioners of a county in which a new solid waste management facility will be located of the department's intention to issue a permit for the facility. The board of county commissioners may call a special election to be held within sixty days after receiving notice from the department to allow the qualified electors of the county to vote to approve or disapprove of the facility based on public interest and impact on the environment. If a majority of the qualified electors voting in the election vote to disapprove of the facility, the department may not issue the permit and the facility may not be located in that county.
3. Notwithstanding subsection 2, if the new solid waste management facility for which the permit application was completed after July 1, 1994, will be owned or operated by a solid waste management ~~district board established under section 23-29-06~~ authority, a special election to approve or disapprove of a facility may be called only if the boards of county commissioners from a majority of the counties in the solid waste management district call for a special election. However, a special election must be conducted in each county within the ~~district~~ authority. If a majority of the qualified electors voting in the election vote to disapprove of the facility, the department may not issue the permit.
4. Subsections 2 and 3 do not apply to a solid waste management facility operated as part of an energy conversion facility or part of a surface coal mining and reclamation operation, if the solid waste management facility disposes of only waste generated by the energy conversion facility or surface coal mining and reclamation operation."



Page 1, line 11, replace "23-29-07.2" with "23-29-06.1, 23-29-06.2, 23-29-06.3", after the first comma insert "and", and remove ", and 23-29-07.5"

Page 1, line 12, replace "section" with "sections 23-29-06, 23-29-06.4, and"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2109: Natural Resources Committee (Sen. Traynor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2109 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 amend and reenact sections 49-22-04 and 49-22-05.1 of the North Dakota Century Code, relating to energy conversion and transmission facility inventories of exclusion and avoidance areas.

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

**SECTION 1. AMENDMENT.** Section 49-22-04 of the North Dakota Century Code is amended and reenacted as follows:

**49-22-04. Ten-year plans - Contents.** Every utility which ~~that~~ owns or operates, or plans within the next ten years to own, operate, or start construction on any facility shall annually develop a ten-year plan as specified in this section. On or before July first of each year, every such the utility shall submit its ten-year plan to the commission. The ten-year plan may be appropriate portions of a single regional plan or may be jointly prepared and submitted by two or more utilities and shall must contain the following information:

1. A description of the general location, size, and type of all facilities to be owned or operated by the utility during the ensuing ten years, as well as those facilities to be removed from service during the ten-year period.
2. An identification of the location of the tentative preferred site for all energy conversion facilities and the tentative location of all transmission facilities on which construction is intended to be commenced within the ensuing five years and such other information as may be required by the commission. ~~The site and corridor identification shall be made in compliance with the inventory published by the commission pursuant to section 49-22-05.1.~~
3. A description of the efforts by the utility to coordinate the plan with other utilities so as to provide a coordinated regional plan for meeting the utility needs of the region.
4. A description of the efforts to involve environmental protection and land-use planning agencies in the planning process, as well as other efforts to identify and minimize environmental problems at the earliest possible stage in the planning process.
5. A statement of the projected demand for the service rendered by the utility for the ensuing ten years and the underlying assumptions for the projection, with ~~such~~ that information being as geographically specific as possible, and a description of the manner and extent to which the utility will meet the projected demands.

6. Any other relevant information as may be requested by the commission.

Upon receipt of the ten-year plans the commission shall proceed to assess the impact of the development proposed within the state of ~~North Dakota~~, to ensure that energy conversion facilities and transmission facilities will be sited in an orderly manner compatible with environmental preservation and efficient use of resources.

**SECTION 2. AMENDMENT.** Section 49-22-05.1 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**49-22-05.1. ~~Inventory of exclusion~~ Exclusion and avoidance areas - Criteria.**

1. ~~The commission shall assemble and publish an energy conversion and transmission facility inventory of exclusion and avoidance areas. The commission shall have a continuing responsibility to evaluate, update, and publish its inventory.~~
2. The commission shall develop criteria ~~which shall~~ to be used in identifying exclusion and avoidance areas and ~~which shall~~ to guide the site, corridor, and route suitability evaluation and designation process. Except for transmission lines in existence before July 1, 1983, areas within five hundred feet [152.4 meters] of an inhabited rural residence must be designated avoidance areas. This criterion does not apply to a water pipeline. The five hundred foot [152.4 meter] avoidance area criteria for an inhabited rural residence may be waived by the owner of the inhabited rural residence in writing. The criteria may also include an identification of impacts and policies or practices which may be considered in the evaluation and designation process."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2165:** Natural Resources Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2165 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "Operate and maintain" with "Cooperate with other agencies in maintaining"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2206:** Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2206 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2208:** Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2208 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2299:** Human Services Committee (Sen. Thane, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2299 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4001:** Human Services Committee (Sen. Thane, Chairman) recommends **DO PASS**

and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4001 was placed on the Tenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

SCR 4003: Human Services Committee (Sen. Thane, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4003 was placed on the Sixth order on the calendar.

Page 1, after line 6, insert:

"WHEREAS, the North Dakota Housing Needs Assessment commissioned by the Housing Finance Agency in 1992 studied the housing needs of North Dakota and identified thirteen action areas; and

WHEREAS, the 1994 Comprehensive Housing Affordability Strategy Update prepared by the Office of Intergovernmental Assistance identified a need for more affordable housing in North Dakota; and"

Renumber accordingly

#### FIRST READING OF SENATE BILLS

Sen. Andrist introduced:

SB 2466: A BILL for an Act to amend and reenact subdivision a of subsection 3 of section 52-04-05 and subsection 3 of section 52-04-06 of the North Dakota Century Code, relating to determination of contribution rates and variations in the standard rate of contributions for unemployment compensation purposes.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Nalewaja, Krauter, Streibel and Reps. Carlisle, Gorman, Hausauer introduced:

SB 2467: A BILL for an Act to establish a law enforcement training academy fee and provide for its collection and distribution; to authorize the industrial commission to issue and sell evidences of indebtedness for capital projects; to provide an appropriation; to provide for application of the Act; to provide an expiration date; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

Sen. Scherber and Reps. Bernstein, Clark introduced:

SB 2468: A BILL for an Act to amend and reenact subsection 55 of section 39-01-01, subsection 3 of section 39-16-05, sections 39-16.1-02, 39-16.1-05, subsection 2 of section 39-16.1-11, and section 39-16.1-15 of the North Dakota Century Code, relating to proof of financial responsibility and motor vehicle liability policy coverage.

Was read the first time and referred to the **Transportation Committee**.

Sens. Redlin, Nalewaja, O'Connell and Reps. Kretschmar, Kroeber introduced:

SB 2469: A BILL for an Act to amend and reenact sections 54-03-02 and 54-03-02.1 of the North Dakota Century Code, relating to reconvened regular sessions of the legislative assembly in even-numbered years for budget adjustment purposes.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Christmann, Naaden, Watne and Reps. DeWitz, Grosz, Howard introduced:

SB 2470: A BILL for an Act relating to civil actions by political subdivisions.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sens. Christmann, Streibel and Reps. Boehm, Carlisle, Carlson, Kempenich introduced:

**SB 2471:** A BILL for an Act to create and enact nineteen new sections to chapter 11-05, two new sections to chapter 11-06, a new section to chapter 11-08, a new section to chapter 11-09, a new section to chapter 11-09.1, a new section to chapter 40-05.1, four new sections to chapter 40-08, and a new section to chapter 54-40 of the North Dakota Century Code, relating to methods of restructuring county and city governments; to amend and reenact sections 11-05-02, 11-05-04, 11-05-05, 11-05-07, 11-05-25, 11-05-26, 11-05.1-01, 11-05.1-03, 11-05.1-04, 11-05.1-06, 11-08-02.1, 11-08-05, 11-09-03, 11-09-07, 11-09-48, 11-09.1-02, 11-09.1-03, 11-09.1-04, subsection 3 of section 11-09.1-05, sections 11-10-02, 40-04.1-01, 40-04.1-02, 40-05.1-01, 40-05.1-03, 40-05.1-04, 40-08-03, 40-08-04, 40-09-01, 40-09-04, 40-10-02, 40-12-01, 40-14-04, 40-49-05, and 54-40-08 of the North Dakota Century Code, relating to methods of restructuring county and city governments; and to repeal sections 11-05-09.1, 11-05-09.2, 11-06-03.1, 11-09.1-04.1, chapters 11-10.2, 11-10.3, 40-01.1, sections 40-05.1-05.1, 40-06-09, 40-49-07.1, 40-49-07.2, chapters 40-49.1, 54-40.3, 54-40.4, and 54-40.5 of the North Dakota Century Code and section 1 of chapter 401 of the 1993 Session Laws, relating to methods of restructuring county and city governments.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sens. B. Stenehjem, Lips, O'Connell and Reps. Carlisle, D. Henegar, Kempenich introduced:

**SB 2472:** A BILL for an Act to amend and reenact sections 11-13-12 and 11-13-14 of the North Dakota Century Code, relating to auditor's certificates on real property conveyance documents; and to repeal section 11-13-13 of the North Dakota Century Code, relating to real property records required to be kept by county auditors.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sens. B. Stenehjem, Freborg, O'Connell, Yockim and Reps. Grosz, D. Henegar introduced:

**SB 2473:** A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-11 of the North Dakota Century Code, relating to temporary restricted motor vehicle operators' licenses.

Was read the first time and referred to the **Transportation Committee**.

Sen. Sand and Rep. Coats introduced:

**SB 2474:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to issuance of distinctive motor vehicle number plates to veterans.

Was read the first time and referred to the **Transportation Committee**.

Sen. Sand and Rep. Coats introduced:

**SB 2475:** A BILL for an Act providing an appropriation for adjusted compensation to certain veterans.

Was read the first time and referred to the **Appropriations Committee**.

Sens. Heitkamp, Kelsh, Thane and Rep. Gulleon introduced:

**SB 2476:** A BILL for an Act to create and enact eight new sections to chapter 23-29 of the North Dakota Century Code, relating to the transportation of solid waste; and to amend and reenact section 23-29-03 of the North Dakota Century Code, relating to definitions for purposes of solid waste management.

Was read the first time and referred to the **Natural Resources Committee**.

Sen. Heitkamp and Reps. Grumbo, Huether introduced:

**SB 2477:** A BILL for an Act to create and enact two new subsections to section 23-05-01 of the North Dakota Century Code, relating to the powers and duties of local boards of health.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sens. DeMers, Thane and Reps. Boucher, Gunter, Svedjan, Wentz introduced:

**SB 2478:** A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to direct insurance reimbursements for advanced registered nurse practitioners; to amend and reenact subsection 9 of section 26.1-17-01, subsection 1 of section 26.1-36-04, and section 26.1-36-05 of the North Dakota Century Code, relating to the definition of practitioner and benefits for services performed by registered nurses; and to repeal section 26.1-17-12.1 of the North Dakota Century Code, relating to reimbursement of nurses for services.

Was read the first time and referred to the **Human Services Committee**.

Sens. Krebsbach, Langley, Lips, B. Stenehjelm and Reps. Carlisle, Keiser introduced:

**SB 2479:** A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to the consolidation of offenses for dishonored checks.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Grindberg, DeMers, Thane and Reps. Christopherson, Kerzman introduced:

**SB 2480:** A BILL for an Act to amend and reenact subsection 2 of section 26.1-36-08 and paragraph 3 of subdivision e of subsection 2 of section 26.1-36-09 of the North Dakota Century Code, relating to copayments for treatment of substance abuse outside a preferred provider network.

Was read the first time and referred to the **Human Services Committee**.

Sen. G. Nelson and Rep. Belter introduced:

**SB 2481:** A BILL for an Act to amend and reenact paragraph 3 of subdivision b of subsection 2 of section 39-06-14 of the North Dakota Century Code, relating to the farm exemption for holders of a class D motor vehicle operator's license.

Was read the first time and referred to the **Agriculture Committee**.

Sens. W. Stenehjelm, Krauter and Reps. Boucher, Kelsch, Rydell introduced:

**SB 2482:** A BILL for an Act to create and enact three new sections to chapter 11-19.1 and a new section to chapter 23-01 of the North Dakota Century Code, relating to the establishment of a state medical examiner; and to amend and reenact sections 11-19-09, 11-19.1-06, 11-19.1-17, 12-45-01, and subsection 3 of section 44-04-18.7 of the North Dakota Century Code, relating to the office of coroner and the state medical examiner.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sen. Tallackson introduced:

**SB 2483:** A BILL for an Act to amend and reenact sections 25-03.1-02, 25-03.1-04, 25-03.1-08, 25-03.1-09, 25-03.1-10, 25-03.1-11, 25-03.1-17, 25-03.1-19, 25-03.1-20, 25-03.1-21, 25-03.1-22, 25-03.1-23, 25-03.1-24, 25-03.1-25, 25-03.1-26, 25-03.1-27, 25-03.1-30, 25-03.1-31, 25-03.1-33, subsection 1 of section 25-03.1-34, sections 25-03.1-37, 25-03.1-41, and subsection 3 of section 25-03.1-42 of the North Dakota Century Code, relating to commitment procedures for individuals with mental retardation who are a danger to themselves or others.

Was read the first time and referred to the **Human Services Committee**.

Sens. O'Connell, Goetz, Solberg and Reps. Belter, Johnson, Nicholas introduced:

**SB 2484:** A BILL for an Act to amend and reenact subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to custom harvester operator's licenses for persons over sixteen years of age.

Was read the first time and referred to the **Agriculture Committee**.

Sens. O'Connell, Kelsh, Traynor and Reps. Aarsvold, Hagle, Johnson introduced:

**SB 2485:** A BILL for an Act to amend and reenact section 24-07-03 of the North Dakota Century Code, relating to section lines as public roads.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sens. O'Connell, Nalewaja, Thane and Reps. Boehm, Froseth, Wilkie introduced:  
**SB 2486:** A BILL for an Act to repeal section 57-36-25.1 of the North Dakota Century Code, relating to administrative expenses for licensed cigarette distributors; and to provide an appropriation for the close up program.

Was read the first time and referred to the **Education Committee**.

Sen. G. Nelson and Rep. Belter introduced:

**SB 2487:** A BILL for an Act to amend and reenact subsection 1 of section 15-39.1-10 of the North Dakota Century Code, relating to eligibility for benefits under the teachers' fund for retirement.

Was read the first time and referred to the **Education Committee**.

Sens. DeMers, Tallackson and Reps. Aarsvold, Hanson introduced:

**SB 2488:** A BILL for an Act to provide for rights of organization and representation of state employees, collective bargaining negotiations between the state of North Dakota and its employees, establishment of a state employment relations board, and public employment relations.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sen. Lips introduced:

**SB 2489:** A BILL for an Act to create and enact a new section to chapter 25-16 of the North Dakota Century Code, relating to depreciation recapture by care providers for the developmentally disabled.

Was read the first time and referred to the **Human Services Committee**.

Sen. C. Nelson and Reps. Hanson, Kroeber introduced:

**SB 2490:** A BILL for an Act to repeal section 14-18-02 of the North Dakota Century Code, relating to the establishment of maternity.

Was read the first time and referred to the **Judiciary Committee**.

Sens. LaFountain, Grindberg, Heinrich, Heitkamp and Reps. Boucher, Kerzman introduced:

**SB 2491:** A BILL for an Act to create and enact a new section to chapter 15-29 and a new section to chapter 15-38 of the North Dakota Century Code, relating to the provision of teaching services by persons certified as instructors in the areas of North Dakota American Indian languages and culture; and to amend and reenact subsection 10 of section 15-29-08, section 15-36-12, subsection 11 of section 15-39.1-04, sections 15-41-25, 15-47-42, and 15-47-46 of the North Dakota Century Code, relating to teacher certification.

Was read the first time and referred to the **Education Committee**.

Sens. Christmann, Sand, Wanzek and Reps. Belter, Carlson, Kempenich introduced:

**SB 2492:** A BILL for an Act to provide for the expiration of terms of members of the North Dakota council on the arts; and to amend and reenact sections 54-54-02 and 54-54-03 of the North Dakota Century Code, relating to the members of the North Dakota council on the arts.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sen. Grindberg and Rep. Clayburgh introduced:

**SB 2493:** A BILL for an Act to amend and reenact section 20.1-07-05 of the North Dakota Century Code, relating to the taking of protected fur-bearing animals for wildlife management purposes; and to declare an emergency.

Was read the first time and referred to the **Natural Resources Committee**.

Sen. Mutch introduced:

**SB 2494:** A BILL for an Act to create and enact a new subsection to section 15-27.6-10 of the North Dakota Century Code, relating to the formation of new school districts; to amend and reenact subsection 3 of section

15-27.6-10 of the North Dakota Century Code, relating to the formation of new school districts; and to declare an emergency.

Was read the first time and referred to the **Education Committee**.

Sen. Heinrich introduced:

**SB 2495:** A BILL for an Act to amend and reenact subsection 4 of section 54-52.1-01 of the North Dakota Century Code, relating to participation by temporary employees in the uniform group insurance program.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. C. Nelson, LaFountain, Wogsland and Reps. Kroeber, Mahoney, Maragos introduced:

**SB 2496:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-01 of the North Dakota Century Code, relating to the imposition of life imprisonment without parole as the maximum penalty for a class AA felony.

Was read the first time and referred to the **Judiciary Committee**.

Sens. Yockim, Kinnoin, Kringstad and Reps. Grumbo, Maragos, Oban introduced:

**SB 2497:** A BILL for an Act to amend and reenact subsection 1 of section 10-04-02, section 10-04-03, subsection 10 of section 10-04-06, sections 26.1-01-02, 26.1-06-12, 40-57-05, 43-10.1-03, 43-10.1-04, 43-10.1-05, 43-10.1-07, 43-10.1-07.1, subdivision a of subsection 2 of section 43-23.1-05, sections 51-04-02, 51-04-03, 51-04-05, 51-04-07, 51-04-09, subsection 4 of section 51-19-02, subsection 3 of section 51-23-02, subsection 1 of section 51-23-15, and subdivision b of subsection 4 of section 57-38.5-01 of the North Dakota Century Code, relating to the transfer of functions and duties of the securities commissioner to the commissioner of insurance and the establishment of a division of consumer protection with the office of the commissioner of insurance; and to provide an appropriation.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Langley, Kinnoin, Kringstad introduced:

**SB 2498:** A BILL for an Act to regulate the sale and distribution of tobacco products; to repeal section 12.1-31-03 of the North Dakota Century Code, relating to the sale and use of tobacco by minors; and to provide a penalty.

Was read the first time and referred to the **Human Services Committee**.

Sen. Lips introduced:

**SB 2499:** A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to health care cooperatives.

Was read the first time and referred to the **Human Services Committee**.

Sens. Mushik, Langley, Naaden, Streibel introduced:

**SB 2500:** A BILL for an Act to amend and reenact sections 35-01-27 and 35-03-16 of the North Dakota Century Code, relating to satisfaction and discharge of mortgages on real property.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Andrist, Sand, Solberg introduced:

**SB 2501:** A BILL for an Act to create and enact a new subsection to section 65-05-28 of the North Dakota Century Code, relating to aggravation of a work-related injury for purposes of determining workers' compensation benefits.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Redlin, Krebsbach, Nething introduced:

**SB 2502:** A BILL for an Act to amend and reenact section 49-02-01.1 of the North Dakota Century Code, relating to jurisdiction of the public service commission.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sen. Sand introduced:

**SB 2503:** A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to restrictions on the advertising and promoting of games of chance by radio, television, newspaper, or any other publication; and to provide a penalty.

Was read the first time and referred to the **Political Subdivisions Committee**.

Sens. Mushik, DeMers, Mathern, Yockim introduced:

**SB 2504:** A BILL for an Act providing an appropriation for the long-term care ombudsman program.

Was read the first time and referred to the **Human Services Committee**.

Sens. Naaden, Solberg introduced:

**SB 2505:** A BILL for an Act to amend and reenact subsection 1 of section 4-13.2-03, section 4-13.2-04, subsection 43 of section 20.1-01-02, sections 36-01-00.1, 36-01-03, 36-01-04, 36-01-05, 36-01-06, 36-01-07, 36-01-08, 36-01-10, 36-01-12.1, 36-01-13, 36-01-15, 36-01-17, 36-01-18, 36-01-19, 36-01-29, 36-01-30, 36-05-03, 36-05-09, 36-05-10, 36-05-11.1, 36-05-13, 36-07-01, 36-07-02, 36-07-03, 36-07-09, 36-07-10, 36-14-03, 36-14-05, 36-14-06, 36-14-07, 36-14-09, 36-14-10, 36-14-12, 36-14-15, subsection 1 of section 36-14-19, sections 36-14.1-01, 36-14.1-02, 36-14.1-03, 36-14.1-04, 36-14.1-05, 36-14.1-07, 36-15-09, 36-15-14, 36-15-19, 36-21.1-01, subsection 2 of section 36-21.1-06, sections 36-21.1-11, and 36-21.1-12 of the North Dakota Century Code, relating to transferring certain responsibility from the board of animal health to the commissioner of agriculture; to repeal section 36-01-11 of the North Dakota Century Code, relating to reports by the board of animal health to the office of management and budget and the governor; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the **Agriculture Committee**.

Sens. Streibel, Naaden, St. Aubyn introduced:

**SB 2506:** A BILL for an Act to amend and reenact sections 25-01.3-02 and 25-01.3-06 of the North Dakota Century Code, relating to the members of the committee on protection and advocacy and the authority of the project; to repeal section 25-01.3-03 of the North Dakota Century Code, relating to the director of the protection and advocacy project; to provide for application of this Act; to provide an effective date; and to declare an emergency.

Was read the first time and referred to the **Human Services Committee**.

Sens. Scherber, Grindberg, Krauter and Reps. Grumbo, Hagle, Oban introduced:

**SB 2507:** A BILL for an Act to provide jobs development goals.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. St. Aubyn, DeMers, Mathern and Reps. Delmore, Oban, Price introduced:

**SB 2508:** A BILL for an Act to amend and reenact subsection 4 of section 39-01-15 of the North Dakota Century Code, relating to parking privileges for persons who are mobility impaired; and to provide a penalty.

Was read the first time and referred to the **Transportation Committee**.

Sens. Tallackson, Lindaas, Lips, Thane introduced:

**SB 2509:** A BILL for an Act to amend and reenact section 3 of chapter 720 of the 1987 Session Laws as amended by section 6 of chapter 686 of the 1991 Session Laws as amended by section 1 of chapter 570 of the 1993 Session Laws, relating to the expiration date of the emergency services communication system advisory committee.



Was read the first time and referred to the **Agriculture Committee**.

Sens. Heinrich, Freborg, C. Nelson and Rep. Keiser introduced:

**SB 2510:** A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to mandatory high school districts; to amend and reenact section 15-38-03 and subdivision q of subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to school registers and rules relating to joint powers agreements; and to provide an effective date.

Was read the first time and referred to the **Education Committee**.

Sen. Heinrich introduced:

**SB 2511:** A BILL for an Act to amend and reenact section 54-06-21 of the North Dakota Century Code, relating to notice of access to public employee personnel files.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sen. Redlin introduced:

**SB 2512:** A BILL for an Act to amend and reenact subsection 3 of section 50-24.1-02 of the North Dakota Century Code, relating to eligibility for medical assistance.

Was read the first time and referred to the **Human Services Committee**.

Sens. St. Aubyn, Grindberg introduced:

**SB 2513:** A BILL for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to mill levies for teacher and administrator professional development.

Was read the first time and referred to the **Education Committee**.

Sen. Naaden introduced:

**SB 2514:** A BILL for an Act to provide for an easement to place a mailbox next to a public road.

Was read the first time and referred to the **Transportation Committee**.

Sens. Lee, Grindberg, Nalewaja introduced:

**SB 2515:** A BILL for an Act to amend and reenact section 15-47-38.2 of the North Dakota Century Code, relating to the evaluation of school district superintendents.

Was read the first time and referred to the **Education Committee**.

Sen. Goetz and Reps. Wald, Wardner introduced:

**SB 2516:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to possession of a firearm at a public gathering.

Was read the first time and referred to the **Judiciary Committee**.

Sens. Mutch, Lips, Solberg and Reps. Delmore, Kelsch, Stenehjem introduced:

**SB 2517:** A BILL for an Act to amend and reenact sections 15-45-02 and 15-47-01 of the North Dakota Century Code, relating to the age of admission to kindergarten and grade one.

Was read the first time and referred to the **Education Committee**.

Sens. Kelsh, O'Connell and Rep. Kaldor introduced:

**SB 2518:** A BILL for an Act to create and enact a new subsection to section 57-01-02 of the North Dakota Century Code, relating to the tax commissioner's power to publish names of taxpayers who have not presented for payment state warrants issued for tax refunds.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Freborg, G. Nelson introduced:

**SB 2519:** A BILL for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, relating to per student payments and the school district equalization factor.

Was read the first time and referred to the **Education Committee**.

Sens. Watne, Lee and Reps. Berg, Bernstein introduced:

**SB 2520:** A BILL for an Act to create and enact a new section to chapter 3-02 and three new sections to chapter 43-23 of the North Dakota Century Code, relating to duties required of a brokerage firm, common-law agency principles, misrepresentation of a real estate transaction, and appointed agents of a brokerage firm; and to amend and reenact section 43-23-06.1 of the North Dakota Century Code, relating to definitions for purposes of the state real estate commission.

Was read the first time and referred to the **Industry, Business and Labor Committee.**

Sens. Wanzek, Krauter and Reps. Mahoney, Nicholas introduced:

**SB 2521:** A BILL for an Act to provide for landowner immunity from liability for injuries incurred while using a road located on the landowner's property; and to declare an emergency.

Was read the first time and referred to the **Agriculture Committee.**

Sens. Wanzek, Krauter and Rep. Nicholas introduced:

**SB 2522:** A BILL for an Act to amend and reenact subsection 13 of section 4-09-01, subdivision a of subsection 1 of section 4-09-10, and subsection 2 of section 4-09-14 of the North Dakota Century Code, relating to the definition of noxious weed seeds, to seed labeling requirements, and prohibited acts.

Was read the first time and referred to the **Agriculture Committee.**

Sen. Wanzek and Reps. Carlisle, Hanson, Poolman introduced:

**SB 2523:** A BILL for an Act to amend and reenact subsection 5 of section 25-03.1-43 of the North Dakota Century Code, relating to the confidentiality of records of treatment facility patients.

Was read the first time and referred to the **Human Services Committee.**

Sen. Kelsh and Rep. Gulleeson introduced:

**SB 2524:** A BILL for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to consideration of irrigation in the valuation of cropland; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee.**

Sens. Kelsh, Andrist, Solberg and Reps. Gulleeson, Hagle introduced:

**SB 2525:** A BILL for an Act to create and enact a new section to chapter 39-12 of the North Dakota Century Code, relating to the authority of townships to issue overweight vehicle permits.

Was read the first time and referred to the **Transportation Committee.**

Sens. Krauter, Krebsbach, Wanzek and Reps. Austin, Kaldor, Nichols introduced:

**SB 2526:** A BILL for an Act to amend and reenact section 10-30.3-12 of the North Dakota Century Code, relating to the regional rural development fund.

Was read the first time and referred to the **Agriculture Committee.**

Sens. Krebsbach, Holmberg, Mutch and Reps. Christenson, Olson, Price introduced:

**SB 2527:** A BILL for an Act to amend and reenact subsection 6 of section 57-38-01 of the North Dakota Century Code, relating to voting and residency for income tax purposes of active duty members of the armed forces assigned to duty in this state; and to provide an effective date.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

Sens. DeMers, Holmberg, Wanzek and Reps. Kroeber, Kunkel introduced:

**SB 2528:** A BILL for an Act providing an appropriation for the statewide independent living council.

Was read the first time and referred to the **Appropriations Committee.**

Sen. Tallackson and Reps. Kaldor, Sabby, Wardner introduced:

**SB 2529:** A BILL for an Act to provide an appropriation to the department of public instruction to increase funding for elementary and secondary education and to provide property tax relief; to provide for allocation of property tax relief; to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to guaranteed tax base equalization of per student payments; to amend and reenact subdivision a of subsection 2 of section 15-40.1-06, sections 15-47-33, 57-38-29, subsection 2 of section 57-38-30.3, sections 57-39.2-02.1, 57-39.2-03.2, 57-39.2-03.6, 57-39.2-04.2, 57-39.2-08.2, 57-40.2-02.1, 57-40.2-03.2, 57-40.2-04.2, 57-40.3-02, and 57-40.5-02 of the North Dakota Century Code, relating to school district per student payments, inservice training for teachers, and income, sales, use, motor vehicle excise, and aircraft excise tax rates; and to provide an effective date.

Was read the first time and referred to the **Education Committee**.

Sens. Watne, Grindberg and Rep. Monson introduced:

**SB 2530:** A BILL for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to the registration of snowmobiles.

Was read the first time and referred to the **Transportation Committee**.

Sens. Kringstad, Heitkamp introduced:

**SB 2531:** A BILL for an Act to provide general definitions and to require that reports containing geologic information must be prepared or approved by a professional geologist.

Was read the first time and referred to the **Agriculture Committee**.

Sens. Kringstad, Yockim introduced:

**SB 2532:** A BILL for an Act to amend and reenact subsection 4 of section 13-03.1-15 of the North Dakota Century Code, relating to closing costs on consumer finance loans.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Kringstad, Yockim introduced:

**SB 2533:** A BILL for an Act to amend and reenact section 43-33-04 and subsection 2 of section 43-33-15 of the North Dakota Century Code, relating to exceptions to the licensure requirement for hearing aid dealers and composition of the board of hearing instrument dispensers.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sen. Tennefos introduced:

**SB 2534:** A BILL for an Act to amend and reenact sections 48-02-04 and 48-02-05.1 of the North Dakota Century Code, relating to advertisements for bids and to bid requirements and acceptance.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Nalewaja, Grindberg, Kinnoin and Reps. Christenson, Poolman, Rydell introduced:

**SB 2535:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to bill of rights for students at institutions under the state board of higher education.

Was read the first time and referred to the **Education Committee**.

Sen. Wogsland introduced:

**SB 2536:** A BILL for an Act to create and enact a new section to chapter 16.1-10 of the North Dakota Century Code, relating to political persuasion telephone calls.

Was read the first time and referred to the **Judiciary Committee**.

Sen. Wogsland introduced:

**SB 2537:** A BILL for an Act to amend and reenact section 57-38.3-02 of the North Dakota Century Code, relating to offsetting state income tax refunds to pay delinquent loans from the Bank of North Dakota.  
Was read the first time and referred to the **Finance and Taxation Committee.**

#### FIRST READING OF SENATE CONCURRENT RESOLUTION

Sen. Thane introduced:

**SCR 4028:** A concurrent resolution directing the Legislative Council to study the impact on political subdivisions of major economic development projects and whether state assistance should be provided to political subdivisions in mitigating any negative impacts of major projects.  
Was read the first time and referred to the **Political Subdivisions Committee.**

#### FIRST READING OF HOUSE BILLS

**HB 1074:** A BILL for an Act to amend and reenact sections 50-06-01, 50-06-01.3, 50-06-05.1, 50-06-16, and 50-16-17 of the North Dakota Century Code, relating to the human services advisory board; and to repeal section 50-06-01.6 of the North Dakota Century Code, relating to the creation of and membership of the human services advisory board.  
Was read the first time and referred to the **Human Services Committee.**

**HB 1085:** A BILL for an Act to amend and reenact subsections 1, 2, and 3 of section 43-23-13 of the North Dakota Century Code, relating to real estate broker, mortgage broker, and real estate salesperson license fees.  
Was read the first time and referred to the **Finance and Taxation Committee.**

**HB 1096:** A BILL for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code, relating to the tax commissioner's use of certain information for income and withholding tax compliance purposes.  
Was read the first time and referred to the **Finance and Taxation Committee.**

**HB 1101:** A BILL for an Act to amend and reenact sections 57-59-03, 57-59-04, 57-59-05, and 57-59-06 of the North Dakota Century Code, relating to the membership and activities of the multistate tax commission; and to repeal section 57-59-07 of the North Dakota Century Code, relating to the multistate tax compact advisory committee.  
Was read the first time and referred to the **Finance and Taxation Committee.**

**HB 1141:** A BILL for an Act to amend and reenact subsection 1 of section 54-14-04.3 of the North Dakota Century Code, relating to state employee severance pay.  
Was read the first time and referred to the **Government and Veterans Affairs Committee.**

**HB 1145:** A BILL for an Act to create and enact two new sections to chapter 10-30.2 of the North Dakota Century Code, relating to the conversion of the operations and resources of the Myron G. Nelson Fund, Incorporated, to a small business investment corporation; to amend and reenact sections 6-03-38, 7-02-10, 10-04-05, 10-04-06, subsection 2 of section 10-30.2-01, sections 10-30.2-07, 10-30.2-11, 10-30.2-12, 10-30.2-13.1, 10-30.2-14, 26.1-05-19, subdivision p of subsection 1 of section 57-38-01.2, and subdivision h of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to reporting requirements and tax credits and permitting investment in the Myron G. Nelson Fund, Incorporated, and a small business investment company; and to repeal chapter 6-09.2 and sections 10-30.2-02, 10-30.2-03, 10-30.2-04, 10-30.2-05, 10-30.2-06, 10-30.2-08, 10-30.2-09, and 10-30.2-10 of the North Dakota Century Code, relating to industrial development bonds and the creation and operation of the Myron G. Nelson Fund, Incorporated.  
Was read the first time and referred to the **Industry, Business and Labor Committee.**

**HB 1147:** A BILL for an Act to amend and reenact section 19-18-04 of the North Dakota Century Code, relating to pesticide product registration schedules.

Was read the first time and referred to the **Agriculture Committee**.

**HB 1149:** A BILL for an Act to amend and reenact sections 19-13.1-03 and 19-13.1-06 of the North Dakota Century Code, relating to pet food registration and feed inspection fees.

Was read the first time and referred to the **Agriculture Committee**.

**HB 1154:** A BILL for an Act to create and enact a new subsection to section 15-35-01.1 of the North Dakota Century Code, relating to approval of school construction projects by the superintendent of public instruction.

Was read the first time and referred to the **Education Committee**.

**HB 1157:** A BILL for an Act to amend and reenact section 38-12.1-08 of the North Dakota Century Code, relating to the penalty for improper coal exploration activities; and to provide a penalty.

Was read the first time and referred to the **Natural Resources Committee**.

**HB 1194:** A BILL for an Act to create and enact a new section to chapter 26.1-26 of the North Dakota Century Code, relating to a statute of limitations for insurance agents and brokers.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1202:** A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm buildings property tax exemption as it applies to producers of nontraditional livestock; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

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

William C. Parker, Secretary