

JOURNAL OF THE SENATE

Fifty-fourth Legislative Assembly

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Bismarck, February 8, 1995

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

The prayer was offered by Pastor A. L. C. Keller, Retired Lutheran Pastor, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Correction and Revision of the Journal (Sen. Sand, Chairman) has carefully examined the Journal of the Twenty-sixth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 365, line 28, remove "NOT"

SEN. SAND MOVED that the report be adopted, which motion prevailed.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

This is to inform you that on February 7, 1995, I signed the following: SB 2071.

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 2079, SB 2149, SB 2238, SB 2260, SB 2280, SB 2293, SB 2333, SB 2344, SB 2364, SB 2379, SB 2387, SB 2397, SB 2427, SB 2462.

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 1031, HB 1041, HB 1051, HB 1195, HB 1221, HB 1226, HB 1243, HB 1250, HB 1251, HB 1275, HB 1276, HB 1366.

CONSIDERATION OF AMENDMENTS

SB 2001: SEN. LINDAAS (Appropriations Committee) MOVED that the amendments on SJ page 364 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. GOETZ MOVED that SB 2001 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2001: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor; and to amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to the salaries of the governor and lieutenant governor.

MOTION

SEN. YOCKIM MOVED that Engrossed SB 2001 be amended as follows:

Page 1, after line 17, insert:

"Yellowstone-Missouri-Fort Union commission

4,977"

Page 1, line 20, replace "1,920,574" with "1,925,551"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 101 - OFFICE OF THE GOVERNOR

SENATE - This amendment restores funding for the Yellowstone-Missouri-Fort Union Commission at 95 percent of the 1993-95 biennium appropriation by adding \$4,977 from the state general fund.

MOTION

SEN. NETHING MOVED that SB 2001 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2002: SEN. SOLBERG (Appropriations Committee) MOVED that the amendments on SJ page 365 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. GOETZ MOVED that SB 2002 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2002: A BILL for an Act to provide an appropriation for defraying the expenses of the secretary of state and public printing; and to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

Engrossed SB 2002 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2031: SEN. BOWMAN (Agriculture Committee) MOVED that the amendments on SJ page 365 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2038: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ page 366 be adopted and then be REREFERRED to the Appropriations Committee with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2041: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ pages 366-367 be adopted and then be placed on the Eleventh order with DO PASS.

REQUEST

SEN. DEMERS REQUESTED that the Senate divide the amendments to SB 2041, which request was granted.

DIVISION A

- Page 1, line 2, remove "and a new subsection to section 54-44.1-06"
- Page 1, line 4, remove "and the duty of the director of the budget to identify"
- Page 1, line 5, remove "statutory and budgetary initiatives affecting children and families" and after the semicolon insert "and"
- Page 1, line 8, remove "; and to provide for an appropriation"
- Page 1, remove lines 16 through 21
- Page 2, remove lines 12 through 28
- Page 3, remove lines 1 through 28
- Page 4, remove lines 19 through 29
- Page 5, remove lines 1 through 19
- Page 5, line 20, remove "corporations for public purposes or conferred upon it by law" and overstrike ". Under its"
- Page 5, overstrike lines 21 through 26
- Page 5, line 27, overstrike "secretary of state" and insert immediately thereafter "regional and tribal committees"
- Page 5, remove lines 28 and 29
- Page 6, remove lines 1 through 12

DIVISION B

- Page 4, line 10, overstrike "Charter public corporations" and insert immediately thereafter "Authorize regional and tribal committees" and remove "- Duties"
- Page 4, line 11, overstrike "charter public corporations" and insert immediately thereafter "authorize" and remove "or designate"
- Page 4, line 12, remove "organizations to serve as" and remove "children's services"
- Page 4, line 13, remove "coordinating" and overstrike "implement programs for the classes of children and"
- Page 4, line 14, overstrike "programs described in section 54-56-03" and insert immediately thereafter "serve as local planning boards in the development of comprehensive coordinated children's services. The regional and tribal committees may coordinate, sponsor, or oversee interagency or intergovernmental projects or programs for children. The regional and tribal committees may facilitate the participation of both governmental and private entities" and after "The" insert "children's services coordinating"
- Page 4, line 15, overstrike "conditions for" and overstrike "corporations"
- Page 4, line 16, remove "or designations" and overstrike ". Each corporation"
- Page 4, line 18, remove "or organization shall:"

Renumber accordingly

The question being on the adoption of Division A of the proposed amendments to SB 2041.

Division A of the proposed amendments to SB 2041 was adopted on a verification vote.

REQUEST

SEN. DEMERS REQUESTED a recorded roll call vote on Division B of the proposed amendments to SB 2041, which request was granted.

ROLL CALL

The question being on the adoption of Division B of the proposed amendments to SB 2041, the roll was called and there were 16 YEAS, 33 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Goetz; Kringstad; Lee; Naaden; Nelson, G.; Sand; Solberg; Stenehjem, B.; Streibel; Tennefos; Thane; Uriacher; Watne

NAYS: DeMers; Freborg; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; LaFountain; Langley; Lindaas; Lips; Mathern; Mushik; Mutch; Nalewaja; Nelson, C.; Nething; O'Connell; Redlin; Robinson; Scherber; Schobinger; St. Aubyn; Stenehjem, W.; Tallackson; Tomac; Traynor; Wanzek; Wogsland; Yockim

Division B of the proposed amendments to SB 2041 failed.

The proposed amendments to SB 2041, including Division A and excluding Division B, were adopted.

CONSIDERATION OF AMENDMENTS

SB 2042: SEN. LEE (Human Services Committee) MOVED that the amendments on SJ pages 367-368 be adopted and then be **REFERRED** to the Appropriations Committee with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2044: SEN. YOCKIM (Human Services Committee) MOVED that the amendments on SJ pages 368-369 be adopted and then be **REFERRED** to the Appropriations Committee with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2045: SEN. C. NELSON (Judiciary Committee) MOVED that the amendments on SJ pages 369-370 be adopted and then be **REFERRED** to the Appropriations Committee with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2085: SEN. KRAUTER (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 371-372 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. GOETZ MOVED that SB 2085 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2085: A BILL for an Act to amend and reenact subsection 18 of section 65-01-02 of the North Dakota Century Code, relating to the definition of "fairly traceable to the employment" for purposes of workers' compensation.

ROLL CALL

The question being on the final passage of the amended bill, which has been

read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: LaFountain; Stenehjem, B.

Engrossed SB 2085 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2137: SEN. SAND (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 372 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2151: SEN. TOMAC (Agriculture Committee) MOVED that the amendments on SJ page 372 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2175: SEN. W. STENEHJEM (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 372-373 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2178: SEN. LIPS (Appropriations Committee) MOVED that the amendments on SJ page 373 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2209: SEN. O'CONNELL (Education Committee) MOVED that the amendments on SJ pages 374-376 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2242: SEN. KELSH (Transportation Committee) MOVED that the amendments on SJ page 376 be adopted and then be REFERRED to the Appropriations Committee with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2255: SEN. TOMAC (Agriculture Committee) MOVED that the amendments on SJ pages 377-378 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2256: SEN. CHRISTMANN (Natural Resources Committee) MOVED that the amendments on SJ page 378 be adopted and then be placed on the Eleventh order with DO NOT PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2285: SEN. B. STENEHJEM (Human Services Committee) MOVED that the amendments on SJ pages 379-383 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. B. STENEHJEM MOVED that SB 2285 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2285: A BILL for an Act to amend and reenact sections 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, 14-02.4-12, 14-02.4-13, 14-02.4-14, 14-02.4-15, 14-02.4-16, 14-02.4-17, and 14-02.4-18 of the North Dakota Century Code, relating to definitions for purposes of discrimination and reasonable accommodation of individuals with disabilities.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

Engrossed SB 2285 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2292: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ pages 383-384 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2320: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ page 384 be adopted and then be REREFERRED to the Appropriations Committee with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2327: SEN. HEITKAMP (Natural Resources Committee) MOVED that the amendments on SJ pages 384-385 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2355: SEN. GRINDBERG (Education Committee) MOVED that the amendments on SJ page 385 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2357: SEN. DEMERS (Political Subdivisions Committee) MOVED that the amendments on SJ page 385 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2358: SEN. W. STENEHJEM (Judiciary Committee) MOVED that the amendments on SJ pages 385-387 be adopted and then be REREFERRED to the Appropriations Committee with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2366: SEN. SAND (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 387 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2402: SEN. SCHERBER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 387 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2442: SEN. MATHERN (Political Subdivisions Committee) MOVED that the amendments on SJ pages 387-388 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2459: SEN. KELSH (Transportation Committee) MOVED that the amendments on SJ page 388 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2461: SEN. SCHERBER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 388 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2463: SEN. TRAYNOR (Natural Resources Committee) MOVED that the amendments on SJ page 388 be adopted and then be REREFERRED to the Appropriations Committee with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2472: SEN. MATHERN (Political Subdivisions Committee) MOVED that the amendments on SJ pages 388-389 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2489: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ page 389 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2500: SEN. SAND (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 389 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SCR 4031: SEN. TRAYNOR (Natural Resources Committee) MOVED that the amendments on SJ page 390 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. LIPS MOVED that SB 2221 be returned to the Senate floor from the Appropriations Committee for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. LIPS REQUESTED the unanimous consent of the Senate to withdraw SB 2221. There being no objection, it was so ordered by the President.

CONSIDERATION OF AMENDMENTS

SB 2074: SEN. FREBORG (Natural Resources Committee) MOVED that the amendments on SJ pages 370-371 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2074: A BILL for an Act to amend and reenact sections 57-02.1-02, 57-02.1-05, and 57-02.1-06 of the North Dakota Century Code, relating to payments in lieu of real estate taxes made by the game and fish department.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Bowman; Kelsh; Langley; O'Connell; Urlacher; Yockim

Engrossed SB 2074 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2248: SEN. O'CONNELL (Education Committee) MOVED that the amendments on SJ pages 376-377 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2248: 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 the distribution of school district transportation payments; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

Engrossed SB 2248 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2283: SEN. NALEWAJA (Appropriations Committee) MOVED that the amendments on SJ pages 378-379 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2283: A BILL for an Act to create and enact a new subsection to section 4-14.2-01 of the North Dakota Century Code, relating to funds appropriated to the northern crops institute; and to amend and reenact sections 4-05.1-02 and 4-08-10 of the North Dakota Century Code, relating to funds appropriated to the North Dakota state university extension service and agricultural experiment station.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Scherber; Schobinger; Solberg; St. Aubyn;

Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

Engrossed SB 2283 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

MOTION

SEN. WANZEK MOVED that Engrossed SB 2519 be amended as follows, which motion prevailed.

Page 2, line 1, replace "forty-three" with "thirty-five"

Page 2, line 3, replace "thirty-four" with "eighteen"

Renumber accordingly

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 39 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: DeMers; Heinrich; LaFountain; Mathern; Mushik; Nelson, C.; O'Connell; Robinson; Scherber; Yockim

Reengrossed SB 2519 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2334: A BILL for an Act to create and enact a new section to chapter 14-08.1 of the North Dakota Century Code, relating to suspension of an occupational or professional license for nonpayment of child support.

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, 5 NAYS, 0 EXCUSED, 0 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; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; St. Aubyn; Stenehjem, W.; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Naaden; Schobinger; Solberg; Stenehjem, B.; Streibel

Engrossed SB 2334 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2448: A BILL for an Act to amend and reenact section 54-02-01 of the North Dakota Century Code, relating to use of the great seal.

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 48 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; 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; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Heinrich

SB 2448 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that the Senate stand in recess until 5:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Myrdal presiding.

SECOND READING OF SENATE BILL

SB 2450: A BILL for an Act to create and enact a new section to chapter 61-24.3 of the North Dakota Century Code, relating to the southwest pipeline project.

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, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; 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; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

ABSENT AND NOT VOTING: Bowman; Yockim

SB 2450 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2451: A BILL for an Act to create and enact a new section to chapter 20.1-02 of the North Dakota Century Code, relating to funding of the motorboat programs and safety account from the highway tax distribution fund.

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 43 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

MAYS: Kringstad; Nelson, C.; O'Connell; Tennefos; Tomac

ABSENT AND NOT VOTING: Yockim

SB 2451 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2456: A BILL for an Act to amend and reenact section 49-10.1-17 of the North Dakota Century Code, relating to agreements to restore Amtrak service.

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 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; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjerm, B.; Stenehjerm, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

ABSENT AND NOT VOTING: Yockim

SB 2456 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2465: A BILL for an Act to create a new subsection to section 26.1-41-09 of the North Dakota Century Code, relating to no-fault arbitration.

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 2 YEAS, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Mushik; Tallackson

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

ABSENT AND NOT VOTING: Yockim

SB 2465 lost.

SECOND READING OF SENATE BILL

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.

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 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; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

ABSENT AND NOT VOTING: Yockim

SB 2473 passed and the title was agreed to.

SECOND READING OF SENATE BILL

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.

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 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; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

ABSENT AND NOT VOTING: Yockim

SB 2493 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

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.

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 34 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne

NAYS: DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Scherber; Tomac; Wogsland

ABSENT AND NOT VOTING: Yockim

SB 2532 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer; and to amend and reenact section 54-11-13 of the North Dakota Century Code, relating to the salary of the state treasurer.

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 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; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

ABSENT AND NOT VOTING: Yockim

SB 2005 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2055: A BILL for an Act to provide an appropriation for providing educational services to improve English language proficiency.

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 15 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: DeMers; Grindberg; Heinrich; Kelsh; LaFountain; Lee; Mathern; Mushik; Nalewaja; Nelson, C.; O'Connell; Sand; Scherber; Tennefos; Wogsland

NAYS: Andrist; Bowman; Christmann; Freborg; Goetz; Heitkamp; Holmberg; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lindaas; Lips; Mutch; Naaden; Nelson, G.; Nething; Redlin; Robinson; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Yockim

SB 2055 lost.

SECOND READING OF SENATE BILL

SB 2065: A BILL for an Act to create and enact a new subsection to section 54-52-04, two new subsections to section 54-52.1-01, a new subsection to section 54-52.1-02, and three new sections to chapter 54-52.1 of the North Dakota Century Code, relating to the expansion of the uniform group insurance program to allow participation by permanent and

temporary employees of private sector employers and by any other person who is otherwise without health insurance coverage; and to provide an appropriation.

REQUEST

SEN. WOGSLAND REQUESTED that the remarks of Senator Mathern on SB 2065 be printed in the Journal, which request was granted.

REMARKS OF SENATOR MATHERN

Madam President: I served on the Interim Committee that addressed the issues of health care reform. This issue was brought to the Interim Committee by the last legislative assembly. We were to consider the PERS plan as one of the options to provide greater access for health insurance for our citizens.

There were five different options studied by the Interim Committee, the one before you was the one chosen by the Interim Committee to offer to this legislative assembly. This option was studied and a great deal of actuarial evidence was entered into the record. Each of the provisions of this bill provide clarification that implementation would not negatively affect the PERS plan. Once we addressed the actuarial issues I looked at this bill as one of fairness. Here we have a plan that is developed and paid for by the citizens of our state. The citizens provide me with this plan. This plan costs a family \$297 a month.

A NO vote is saying that these taxpayers that provide the plan for me cannot get the plan. To me it is like saying, when we had a problem with rust in the late fifties/early sixties and we developed Waldron, a rust resistant wheat, that even though this was a great wheat variety, we were only going to permit Waldron wheat to be used by legislators and state employees. Can you imagine the wrath of the citizens?

We have a program for giving people housing options through the North Dakota housing finance agency. We do some things to write down some interests and do some things to promote people to get housing and at the end of that we said, but the only people who can take advantage of this deal, even though the citizens paid for it, are legislators and state employees.

Voting NO on this bill is like saying we have a state university, we are proud of our state university, we have taken taxpayer money to build up that university, but we say only those people that are in the legislature or political subdivisions or state employees can take advantage of that university.

I think we have a plan here that is well-managed, it has a very strong orientation towards preventative care, it is a plan that is bid out to the private sector insurance companies. There are a lot of insurance companies who can bid for this product. The insurance company that gets the lowest bid offers the plan.

Let's proceed and give the citizens of our state the same opportunity to buy into this plan that we give ourselves. I encourage a YES vote on SB 2065.

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 21 YEAS, 28 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

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

SB 2065 lost.

SECOND READING OF SENATE BILL

SB 2180: A BILL for an Act to create and enact a new section to chapter 54-44 of the North Dakota Century Code, relating to authority of the office of management and budget to seek reimbursement for assessments by the United States department of education for default costs on student loans from institutions of higher education.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

SB 2180 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that SB 2408 be returned to the Senate floor from the Political Subdivisions Committee and be rereferred to the Judiciary Committee, which motion prevailed. Pursuant to Sen. Goetz's motion, SB 2408 was rereferred.

MOTION

SEN. GOETZ MOVED that SCR 4038 be returned to the Senate floor from the Political Subdivisions Committee and be rereferred to the Joint Constitutional Revision Committee, which motion prevailed. Pursuant to Sen. Goetz's motion, SCR 4038 was rereferred.

MOTION

SEN. GOETZ MOVED that the Senate be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, February 9, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2033: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2033 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2047: Judiciary Committee (Sen. W. Stenehjerm, Chairman) recommends DO NOT PASS (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2047 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2216: Human Services Committee (Sen. Thane, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2216 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2265: Finance and Taxation Committee (Sen. Tennefos, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS,

0 NAYS, 0 ABSENT AND NOT VOTING). SB 2265 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 39-18-07 and"

Page 1, line 3, after "homes" insert "and to penalties; and to provide a penalty"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 39-18-07 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-18-07. Penalty. Any person ~~who violates the provisions violating a provision~~ of this chapter ~~for which a penalty is not specifically provided~~ is guilty of a class B misdemeanor."

Page 1, line 13, remove the overstrike over "Any person,"

Page 1, line 14, remove the overstrike over "~~including a person licensed as a real estate broker or~~", after "salesman" insert "salesperson", and remove the overstrike over "~~, who obtains~~"

Page 1, remove the overstrike over lines 15 through 17

Page 1, line 18, remove the overstrike over "~~the owner or operator of the mobile home park~~"

Page 1, line 20, remove the overstrike over the period

Page 2, line 2, after the period insert "A person who violates this section is guilty of an infraction."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2323: Finance and Taxation Committee (Sen. Tennesfos, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2323 was placed on the Sixth order on the calendar.

Page 1, line 17, after "assembly" insert "or, if the legislative assembly is not in session, the budget section of the legislative council"

Page 2, line 6, after "assembly" insert "or, if the legislative assembly is not in session, the budget section of the legislative council"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2381: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2381 was placed on the Sixth order on the calendar.

Page 1, line 17, after "if" insert "emergency"

Page 1, line 18, after the second "facility" insert "that has adequate resources and capacity to hold that individual"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2439: Human Services Committee (Sen. Thane, Chairman) recommends DO PASS

(6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2439 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2478: Human Services Committee (Sen. Thane, Chairman) recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2478 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2482: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2482 was placed on the Sixth order on the calendar.

Page 1, line 4, after the third comma insert "and" and remove ", and subsection 3 of"

Page 1, line 5, remove "section 44-04-18.7"

Page 2, line 26, after "county" insert "except for an autopsy, investigation, or inquiry resulting from the death of a patient or resident of the state hospital or any other state residential facility or an inmate of a state penal institution"

Page 4, line 1, after "examiner" insert "- Qualifications"

Page 4, line 3, after the underscored period insert "The state medical examiner must be a licensed physician."

Page 4, remove lines 14 through 26

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2490: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2490 was placed on the Sixth order on the calendar for immediate second reading.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 14-18 of the North Dakota Century Code, relating to paternity; to amend and reenact section 14-18-01 of the North Dakota Century Code, relating to the establishment of paternity; to repeal section 14-18-02 of the North Dakota Century Code, relating to the establishment of maternity; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 14-18-01 of the North Dakota Century Code is amended and reenacted as follows:

14-18-01. Definitions. As used in ~~sections 14-18-01 through 14-18-07~~ this chapter:

1. "Assisted conception" means a pregnancy resulting from insemination of an egg of a woman with sperm of a man by means other than sexual intercourse or by removal and implantation of an embryo after sexual intercourse, but does not include ~~the a pregnancy of a wife~~ resulting from the insemination of ~~her~~ an egg of a wife using her husband's sperm.
2. "Donor" means an individual whose body produces sperm or egg used for the purpose of assisted conception, whether or not a

payment is made for the sperm or egg used, but does not include ~~a woman who gives birth to a resulting child~~ an individual whose body produces sperm or egg used for the purpose of conceiving a child for that individual.

3. "Gestational carrier" means an adult woman who enters into an agreement to have an embryo implanted in her and bear the resulting child for intended parents, where the embryo is conceived by using the egg and sperm of the intended parents.
4. "Surrogate" means an adult woman who enters into an agreement to bear a child conceived through assisted conception for intended parents.

SECTION 2. A new section to chapter 14-18 of the North Dakota Century Code is created and enacted as follows:

Paternity. Paternity of a child born to a gestational carrier is governed by chapter 14-17.

SECTION 3. REPEAL. Section 14-18-02 of the North Dakota Century Code is repealed.

SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2498: Human Services Committee (Sen. Thane, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2498 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2524: Finance and Taxation Committee (Sen. Teneffos, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2524 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and" and after "date" insert "; and to provide an expiration date"

Page 3, line 23, after "DATE" insert "- EXPIRATION DATE" and after "for" insert "the first three"

Page 3, line 24, after "1994" insert ", and is thereafter ineffective"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2529: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2529 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "sections 15-47-33," with "section"

Page 1, line 11, remove ", inservice training for teachers,"

Page 2, line 4, replace "25,000,000" with "35,000,000"

Page 2, line 5, replace "86,500,000" with "76,500,000"

Page 2, line 18, replace "fifty" with "thirty"

Page 2, line 27, replace "fifty" with "thirty"

Page 3, line 3, replace "fifty" with "thirty"

Page 3, line 6, replace "fifty" with "thirty"

Page 5, remove lines 14 through 29

Page 6, remove lines 1 and 2

Page 15, line 27, after "Sections" insert "5 and" and remove "and 7"

Page 15, line 28, replace "8" with "7"

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

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SCR 4002: Human Services Committee (Sen. Thane, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4002 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4051: Finance and Taxation Committee (Sen. Tennefos, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4051 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1085, as engrossed: Finance and Taxation Committee (Sen. Tennefos, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1085 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1095: Finance and Taxation Committee (Sen. Tennefos, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1095 was placed on the Fourteenth order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1031: A BILL for an Act to create and enact a new section to chapter 14-08.1 of the North Dakota Century Code, relating to suspension or revocation of motor vehicle operator's license for nonpayment of child support; and to amend and reenact section 39-06-19 of the North Dakota Century Code, relating to suspension or revocation of a motor vehicle operator's license for nonpayment of child support.

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

HB 1041: A BILL for an Act to create and enact a new subsection to section 15-34.1-00.1 and a new section to chapter 54-46 of the North Dakota Century Code, relating to a supervisor of schools and school records; to amend and reenact sections 11-10-10, 11-10-20, subsection 1 of section 11-14-13, sections 15-06-02, 15-08-03, 15-19-03, subsection 3 of section 15-20.4-03, sections 15-21-07, 15-21-15, 15-22-17, 15-22-18, 15-27.1-01, subsection 2 of section 15-27.1-03, sections 15-27.1-04, 15-27.1-10, 15-27.2-01, subsection 7 of section 15-27.2-04, sections 15-27.3-02, 15-27.3-08, 15-27.3-11, 15-27.3-12, 15-27.3-19, 15-27.4-01, 15-27.4-02, 15-27.6-09, 15-27.6-10, 15-29-06, 15-29-07, subsections 16 and 17 of section 15-29-08, subsection 3 of section 15-29-09, sections 15-34.1-03, 15-34.1-04, 15-34.1-06, 15-34.1-07, 15-34.1-10, 15-36-17, 15-38-14, subsection 11 of section 15-39.1-04, sections 15-40.1-09, 15-40.1-17, 15-40.2-05, subsection 4 of section 15-40.2-08, sections 15-41-01, 15-43-03, 15-44-06, 15-47-02.1, 15-47-07, 15-47-13, 15-47-43, 15-49-09, 15-49-11, 21-04-19, 23-03-07, subsection 3 of section 44-11-02, sections 54-01-13.2, 57-15-14, 57-16-04, 57-33.1-09, subsection 3 of section 57-51-15, sections 57-60-15, and 57-62-02 of

the North Dakota Century Code, relating to county superintendents of schools; to repeal sections 11-10-10.5, 11-14-14, 15-21-10, 15-22-01, 15-22-02, 15-22-04, 15-22-07, 15-22-09, 15-22-10, 15-22-11, 15-22-12, 15-22-13, 15-22-14, 15-22-15, 15-22-16, 15-22-20, 15-22-25, 15-22-26, 15-27.1-09, 15-35-10, 15-38-02, 15-38-03, 15-40.1-19, 15-47-17, 15-47-23, and 65-04-07 of the North Dakota Century Code, relating to county superintendents of schools; and to provide an effective date.

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

HB 1051: A BILL for an Act relating to product liability actions against manufacturers of general aviation light aircraft.

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

HB 1195: A BILL for an Act to create and enact a new section to chapter 65-04 of the North Dakota Century Code, relating to establishing a pilot program for retrospective rating for workers' compensation; and to provide an effective date.

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

HB 1221: A BILL for an Act to allow an employer covered under the workers' compensation act to require the use of preferred providers.

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

HB 1226: A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to allowing reinsurance for workers' compensation; to amend and reenact section 65-02-06 of the North Dakota Century Code, relating to expenditures by the workers compensation bureau; and to provide a continuing appropriation.

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

HB 1250: A BILL for an Act to create and enact a new subsection to section 54-44.3-20 and a new section to chapter 65-02 of the North Dakota Century Code, relating to excepting officers and employees of the workers compensation bureau from the central personnel system and requiring the workers compensation bureau to establish a personnel system; to provide for approval of the system; and to provide an effective date.

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

HB 1251: A BILL for an Act to amend and reenact section 65-02-09 of the North Dakota Century Code, relating to the inclusion of advertisements in publications of the workers compensation bureau.

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

HB 1275: A BILL for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, relating to the distribution of payments in lieu of taxes.

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

HB 1276: A BILL for an Act to create and enact two new sections to chapter 54-35 of the North Dakota Century Code, relating to a health insurance mandate review committee and to limitations on proposed legislation mandating, modifying, or eliminating health insurance coverage.

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

HB 1366: A BILL for an Act to amend and reenact subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition

of average weekly wage for purposes of determining workers' compensation benefits.

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

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

William C. Parker, Secretary