

JOURNAL OF THE SENATE

Fifty-fifth Legislative Assembly

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Bismarck, February 12, 1997

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

The prayer was offered by Pastor Mark Phillips, Good Shepherd United Methodist, Mandan.

The roll was called and all members were present except Senators Bowman, Tomac, and Traynor.

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 2015, SB 2113, SB 2148, SB 2197, SB 2294, SB 2365, SB 2393, SCR 4016.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1020, HB 1070, HB 1105, HB 1107, HB 1120.

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 1260, HB 1261, HB 1309, HB 1311, HB 1315, HB 1328, HB 1335, HB 1344, HB 1345, HB 1350, HB 1359, HB 1384, HB 1389.

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 1001, HB 1016, HB 1022, HB 1074, HB 1146, HB 1225, HB 1227, HB 1294, HB 1358, HB 1360, HB 1405, HB 1412.

CONSIDERATION OF AMENDMENTS

SB 2355: SEN. SAND (Agriculture Committee) MOVED that the amendments on SJ page 305 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2127: SEN. W. STENEHJEM (Judiciary Committee) MOVED that the amendments on SJ page 315 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2260: SEN. THOMPSON (Natural Resources Committee) MOVED that the amendments on SJ page 316 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed. Pursuant to Sen. Thompson's motion, Engrossed SB 2260 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2261: SEN. MUTCH (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 316 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2262: SEN. MUTZENBERGER (Judiciary Committee) MOVED that the amendments on SJ page 317 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2278: SEN. DEMERS (Human Services Committee) MOVED that the amendments on SJ pages 317-318 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. GOETZ MOVED that, in light of the fiscal note, the rules be suspended and after action taken on the Sixth order, SB 2356, as amended, not be rereferred to the **Appropriations**

Committee, but be placed on the Eleventh order for the succeeding legislative day for second reading and final passage, which motion prevailed.

MOTION

SEN. GOETZ MOVED that SB 2371, which is on the Sixth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Goetz's motion, SB 2371 was rereferred.

MOTION

SEN. GOETZ MOVED that SCR 4029, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2322: SEN. FREBORG (Natural Resources Committee) MOVED that the amendments on SJ page 318 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2356: SEN. THOMPSON (Natural Resources Committee) MOVED that the amendments on SJ page 318 be adopted with **DO PASS**, which motion prevailed. Engrossed SB 2356 was placed on the Eleventh order pursuant to the previous motion made by Sen. Goetz.

CONSIDERATION OF AMENDMENTS

HB 1069, as engrossed: SEN. CHRISTMANN (Finance and Taxation Committee) MOVED that the amendments on SJ page 319 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

MOTION

SEN. GOETZ MOVED that Engrossed SB 2005 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2152: A BILL for an Act to amend and reenact sections 11-08-05, 11-08-07, 11-08-08, 11-08-09, 11-08-10, 11-08-13, 11-08-15, 11-09-18, 11-09-19, subsection 3 of section 11-09.1-05, section 11-10-02, subsection 3 of section 11-10.2-01, and section 11-15-01.1 of the North Dakota Century Code, relating to the election of sheriffs and state's attorney.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 33 YEAS, 13 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Christmann; Cook; Freborg; Goetz; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; LaFountain; Lindaas; Lips; Mathern; Mutch; Naaden; Nalewaja; Nelson, C.; Nething; O'Connell; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Wanzek; Watne; Wogsland

NAYS: Andrist; Berg; DeMers; Fischer; Grindberg; Klein; Kringstad; Lee; Mutzenberger; Nelson, G.; Redlin; Urlacher; Yockim

ABSENT AND NOT VOTING: Bowman; Tomac; Traynor

Engrossed SB 2152 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2213: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to fees for the use of computer equipment and associated software by legislators.

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 43 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Berg; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Lee; Lindaas; Lips;

Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nothing; O'Connell; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Andrist; LaFountain; Redlin

ABSENT AND NOT VOTING: Bowman; Tomac; Traynor

Engrossed SB 2213 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2232: A BILL for an Act to amend and reenact subsection 1 of section 11-17-04, sections 11-26-04, 26.1-02-19, 28-20.1-05, 35-18-04, 35-21-05, 43-01-19, and 57-22-32 of the North Dakota Century Code, relating to the fees to be charged by the clerk of the district court.

MOTION

SEN. WATNE MOVED that Engrossed SB 2232 be amended as follows, which motion prevailed on a voice vote.

Page 2, line 6, after "civil" insert "legal"

Renumber accordingly

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nothing; O'Connell; Redlin; Robinson; Sand; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Schobinger

ABSENT AND NOT VOTING: Bowman; Tomac; Traynor

Reengrossed SB 2232 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that Engrossed SB 2242, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2293: A BILL for an Act relating to organization and representation of political subdivision employees, collective bargaining negotiations between political subdivision employers and their employees, and the establishment of an employment relations board.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 17 YEAS, 29 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Berg; Cook; DeMers; Heitkamp; Kelsh; LaFountain; Lindaas; Mathern; Mutzenberger; Nelson, C.; O'Connell; Redlin; Robinson; Tallackson; Thompson; Wogsland; Yockim

NAYS: Andrist; Christmann; Fischer; Freborg; Goetz; Grindberg; Holmberg; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nothing; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Bowman; Tomac; Traynor

Engrossed SB 2293 lost.

MOTION

SEN. GOETZ MOVED that the absent members 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., Thursday, February 13, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2001: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to repeal section 54-03-19 of the North Dakota Century Code, relating to the seal on legislative bills; to provide for retroactive application,"

Page 1, line 14, replace "4,259,577" with "4,877,733"

Page 1, line 15, replace "3,528,845" with "3,450,586"

Page 1, line 18, replace "7,952,816" with "8,492,713"

Page 2, line 2, replace "13,835,548" with "14,375,445"

Page 2, after line 22, insert:

"SECTION 4. REPEAL - RETROACTIVE APPLICATION. Section 54-03-19 of the North Dakota Century Code is repealed retroactive to January 1, 1997."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 150 - LEGISLATIVE ASSEMBLY

SENATE - This amendment makes the following changes:

	1997-99 EXECUTIVE RECOMMENDATION	REDUCE NUMBER OF LEGISLATIVE DAYS BY FIVE	MONTHLY COMPENSATION	SESSION PAY	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$4,259,577	\$(122,908)	\$66,463	\$674,601	\$618,156	\$4,877,733
Operating expenses	3,528,845	(78,259)			(78,259)	3,450,586
Equipment	15,000					15,000
National Conference of State Legislatures	149,394					149,394
Total	\$7,952,816	\$(201,167) ¹	\$66,463 ²	\$674,601 ³	\$539,897	\$8,492,713
General fund	\$7,952,816	\$(201,167)	\$66,463	\$674,601	\$539,897	\$8,492,713
Special funds						
Total	\$7,952,816	\$(201,167)	\$66,463	\$674,601	\$539,897	\$8,492,713

¹ Reduces the number of legislative days provided for the 1999 legislative session by five days, from 77 to 72.

² Pursuant to provisions of Senate Bill No. 2051, an additional \$66,463 from the general fund is provided for costs associated with increasing legislators' monthly compensation by \$70 per month, from \$180 to \$250 per month, effective January 1, 1997. The additional funding is for the 1995-97 biennium. The executive budget recommendation includes the funding needed for the increase for the 1997-99 biennium.

³ Pursuant to provisions of Senate Bill No. 2051, an additional \$674,601 from the general fund is provided for the costs associated with increasing legislative session pay from \$90 per day to \$111 per day effective January 1, 1997. Of the additional funding, \$319,023 is for the 1995-97 biennium and \$355,578 is for the 1997-99 biennium.

This amendment repeals North Dakota Century Code Section 54-03-19 as of January 1, 1997. The section required each legislative bill introduced to a legislative session to be imprinted with a seal.

A comparison of the legislative compensation included in the executive budget to the compensation as provided for in the Senate version is listed below.

	EXECUTIVE BUDGET		SENATE VERSION	
	1995-97	1995-99	1995-97	1997-99
Monthly compensation per legislator	\$180	\$250	\$250	\$250
Session pay per legislator (per day)	\$90	\$90	\$111	\$111

REPORT OF STANDING COMMITTEE

SB 2020: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2020 was placed on the Sixth order on the calendar.

Page 1, line 2, after "education" insert "; to create and enact a new subsection to section 15-20.1-03 of the North Dakota Century Code, relating to the powers and duties of the state board for vocational and technical education; to amend and reenact section 6-09.10-02.1, subsection 1 of section 6-09.10-06, sections 15-20.1-01, and 15-20.1-02 of the North Dakota Century Code, relating to the duties of the credit review board and the state board for vocational and technical education; and to provide statements of legislative intent"

Page 1, line 14, replace "219,802" with "445,760"

Page 1, line 17, replace "25,547,824" with "25,773,782"

Page 1, line 18, replace "14,026,822" with "14,252,780"

Page 1, after line 19, insert:

"SECTION 2. AMENDMENT. Section 6-09.10-02.1 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6-09.10-02.1. Additional duties of board. In addition to other powers and duties enumerated in this chapter, the board shall:

1. Establish policy for the North Dakota agricultural mediation service.
2. Recommend policies and procedures to the industrial commission regarding farm loan programs of the Bank of North Dakota.
3. Recommend policies and procedures regarding the adult farm management program to the state board ~~of~~ for vocational and technical education.
4. ~~Coordinate~~ Participate in a farm management delivery system coordinated by the state board for vocational and technical education among the adult farm management program, agricultural mediation service, and North Dakota state university. The system must be available to any farmer and may be funded from moneys available in the fund described in this chapter, fees paid by farmers, or other sources.

SECTION 3. AMENDMENT. Subsection 1 of section 6-09.10-06 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. A revolving fund must be maintained at the Bank of North Dakota for the subsidy of interest rates on home-quarter purchases and coordination and operation of a farm management delivery system, as provided in this chapter. All moneys transferred into the fund, interest upon moneys in the fund, and payments to the fund are hereby appropriated for the purposes of this chapter. Any moneys generated by the farm management delivery system must be transferred to the state board for vocational and technical

education and allocated by the state board for vocational and technical education to the adult farm management program, the agricultural mediation services, and North Dakota state university for expenses related to the jointly developed and implemented farm management delivery system. The state board for vocational and technical education may not allocate more than forty percent of these moneys to any one of these entities.

SECTION 4. AMENDMENT. Section 15-20.1-01 of the North Dakota Century Code is amended and reenacted as follows:

15-20.1-01. Definitions. In this chapter, unless the context or subject matter otherwise requires:

1. "Director" means the director of vocational and technical education.
2. "Regulations" means regulations made by the director with the approval of the state board.
3. "State board" means the state board for vocational and technical education ~~which is the state board of public school education.~~

SECTION 5. AMENDMENT. Section 15-20.1-02 of the North Dakota Century Code is amended and reenacted as follows:

15-20.1-02. State board for vocational and technical education - Director of vocational and technical education - Appointment, qualifications, assistants, duties. The state board ~~of public school education is the state board~~ for vocational and technical education consists of the members of the state board of public school education, the commissioner of labor, and the commissioner of higher education or the commissioner's designee. The state board, acting through the office of the superintendent of public instruction, shall appoint a director and executive officer of vocational and technical education who are charged with the administration, under the direction and supervision of the board, of the provisions of this chapter relating to vocational and technical education. The state board, acting through the office of the superintendent of public instruction, shall designate such assistants to the director as may be necessary to carry out the provisions of this chapter. The duties, terms of office, and compensation of the director and of his assistants must be determined by the state board. The director shall hold as a minimum a baccalaureate degree received from a recognized college or university. The director shall enforce such rules and regulations as the state board may adopt and shall prepare such reports concerning vocational education as the state board may require.

SECTION 6. A new subsection to section 15-20.1-03 of the North Dakota Century Code is created and enacted as follows:

To coordinate new and existing farm management programs offered by any state agency or entity.

SECTION 7. LEGISLATIVE INTENT - STATEWIDE ACCESS TO WORK FORCE TRAINING PROGRAMS - REPORT TO LEGISLATIVE COUNCIL COMMITTEE. It is the intent of the fifty-fifth legislative assembly that the state board for vocational and technical education cooperate with other state agencies and private organizations to provide work force training programs in a manner that will allow statewide access to these programs and will improve the agency's ability to coordinate and implement work force training programs in anticipation of future work force training needs. The state board for vocational and technical education shall provide, during the 1997-98 interim, periodic reports to the legislative council or its designated committee, on the agency's progress in coordinating statewide access to work force training programs.

SECTION 8. LEGISLATIVE INTENT - FARM MANAGEMENT PROGRAM FEES. It is the intent of the fifty-fifth legislative assembly that all fees collected for farm management programs pursuant to sections 6-09.10-02.1 and 6-09.10-06 be transferred to the state board for vocational and technical education. The state board for vocational and technical education shall distribute the fees as it determines necessary to state agencies and organizations involved in providing farm management programs."

STATEMENT OF PURPOSE OF AMENDMENT:**DEPARTMENT 270 - STATE BOARD FOR VOCATIONAL AND TECHNICAL EDUCATION**

SENATE - This amendment requires that all adult farm management programs be coordinated by the State Board for Vocational and Technical Education and increases the adult farm management line item and estimated income by \$225,958 for adult farm management program fees collected by the Department of Agriculture (Budget No. 602) and currently included in that budget. This amendment provides that the members of the State Board for Vocational and Technical Education must include the Commissioner of Labor and the Commissioner of Higher Education. This amendment provides legislative intent that the State Board for Vocational and Technical Education coordinate work force training programs in the state to provide statewide access to these programs and that the agency present periodic reports to a committee of the Legislative Council. This amendment also provides legislative intent that all adult farm management fees collected pursuant to Sections 6-09.10-02.1 and 6-09.10-06 be transferred to the State Board for Vocational and Technical Education and provides the following line item changes:

	1997-99 EXECUTIVE RECOMMENDATION	ADULT FARM MANAGEMENT	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$ 2,567,463			\$ 2,567,463
Operating expenses	565,366			565,366
Equipment	108,000			108,000
Grants	21,619,356			21,619,356
Adult farm management	219,802	\$225,958	\$225,958	445,760
Postsecondary education grants	368,600			368,600
Small business management	99,237			99,237
Total	\$25,547,824	\$225,958	\$225,958	\$25,773,782
General fund	\$11,521,002			\$11,521,002
Other funds	<u>14,026,822</u>	<u>\$225,958</u>	<u>\$225,958</u>	<u>14,252,780</u>
Total	\$25,547,824	\$225,958	\$225,958	\$25,773,782

REPORT OF STANDING COMMITTEE

SB 2028, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2028 was placed on the Sixth order on the calendar.

Page 4, line 12, replace "general" with "children's services coordinating committee operating"

Page 4, line 19, replace "general" with "special"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**DEPARTMENT 232 - UND SCHOOL OF MEDICINE**

SENATE - This amendment changes the funding source from the general fund to the children's services coordinating committee operating fund.

REPORT OF STANDING COMMITTEE

SB 2029, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2029 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "refugee" and remove the semicolon

Page 1, line 3, remove "and to provide an appropriation for level I and II students"

Page 1, line 7, remove "refugee"

Page 1, line 9, remove the colon

Page 1, remove lines 10 and 11

Page 1, line 12, replace "b. Has" with "has"

Page 1, line 22, replace "**APPROPRIATION.** There is hereby appropriated out of any moneys in" with "**PAYMENTS FOR STUDENTS HAVING LIMITED ENGLISH LANGUAGE SKILLS.** For"

Page 1, remove line 23

Page 1, line 24, remove "much of the sum as may be necessary, to the superintendent of public instruction for"

Page 2, line 1, remove "refugee"

Page 2, line 2, after "1999" insert ", the superintendent of public instruction shall use up to \$300,000 of any moneys appropriated in House Bill No. 1013, as approved by the fifty-fifth legislative assembly, for equity payments to school districts"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 201 - PUBLIC INSTRUCTION

SENATE - This amendment requires the Superintendent of Public Instruction to distribute payments to school districts with students having limited English language skills and to use up to \$300,000 of any moneys appropriated in House Bill No. 1013 for equity payments to school districts for the purpose of making payments to districts for students having limited English language skills.

REPORT OF STANDING COMMITTEE

SB 2034, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (9 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2034 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2047: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2047 was placed on the Sixth order on the calendar.

Page 2, line 23, remove the overstrike over "A" and remove "Except as otherwise provided by law, a"

Page 3, line 20, overstrike "sixty" and insert immediately thereafter "one hundred twenty"

Page 3, line 24, after "auditor" insert "may, or upon request of the legislative audit and fiscal review committee" and after "shall" insert an underscored comma

Page 3, line 25, remove "state"

Page 3, line 28, after "region" insert "upon request of a legislator"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 117 - STATE AUDITOR

SENATE - This amendment allows regional planning councils to continue to use public accounting firms and provides that regional planning councils only send audit reports to legislators when requested.

REPORT OF STANDING COMMITTEE

SB 2052: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO**

PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2052 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "sections 54-03-10," with "section" and remove "54-03-19.2,"

Page 1, line 5, remove "54-03-20," and remove "54-35-10,"

Page 1, line 8, remove "the legislative assembly and", after "commissions" insert "and the appointment of members of the legislative compensation commission", and remove "; and to"

Page 1, line 9, remove "provide an effective date"

Page 9, remove lines 28 through 31

Page 10, remove lines 1 through 12 and remove lines 27 through 31

Page 11, remove lines 1 through 31

Page 12, remove lines 1 through 31

Page 13, remove lines 1 through 3

Page 14, remove lines 4 through 19

Page 17, remove lines 10 and 11

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2124: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2124 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2187, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2187 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2209: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2209 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2277: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2277 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2316: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2316 was placed on the Sixth order on the calendar.

Page 1, line 3, after "legislation" insert "; and to declare an emergency"

Page 1, line 8, after "die" insert "or adjournment subject to reconvening under section 54-03-02"

Page 1, line 9, replace "immediately" with ", within forty-five days of that adjournment,"

Page 1, after line 10, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2336, as engrossed: **Appropriations Committee (Sen. Nething, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2336 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2342: Education Committee (Sen. Freborg, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2342 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2346: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2346 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2382: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2382 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1001: 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. Was read the first time and referred to the **Appropriations Committee**.

HB 1016: A BILL for an Act to provide an appropriation for defraying the expenses of the division of emergency management. Was read the first time and referred to the **Appropriations Committee**.

HB 1022: A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society and the international peace garden. Was read the first time and referred to the **Appropriations Committee**.

HB 1074: A BILL for an Act to create and enact three new subdivisions to subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limits greater than fifty-five miles an hour; and to amend and reenact subsection 8 of section 39-06.1-06, paragraph 34 of subdivision a of subsection 3 of section 39-06.1-10, and subdivisions f and g of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to the speed limits and fees and demerits for violations of the speed limit. Was read the first time and referred to the **Transportation Committee**.

HB 1146: A BILL for an Act to amend and reenact sections 15-40.1-07.3, 15-40.1-07.4, 15-40.3-01, subsection 2 of section 39-21-18, sections 57-15-13 and 57-15-14.5 of the North Dakota Century Code and section 2 of chapter 701 of the 1989 Session Laws of North Dakota, as amended by section 1 of chapter 656 of the 1991 Session Laws of North Dakota and by section 26 of chapter 3 of the 1993 Session Laws of North Dakota, relating to foundation aid amounts after reorganization of school districts, open enrollment for students moving to new districts, vehicles that may be used as schoolbuses, school district tax levy decisions, education technology supervisors, and special reserve fund withdrawals; and to declare an emergency. Was read the first time and referred to the **Education Committee**.

HB 1225: A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to the paying of an insurance deductible or offering of a rebate by a seller of goods or services; and to provide a penalty. Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1227: A BILL for an Act to amend and reenact section 65-01-09 of the North Dakota Century Code, relating to subrogation interests of the workers compensation bureau. Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1260: A BILL for an Act to amend and reenact subsection 26 of section 65-01-02 of the North Dakota Century Code, relating to the definition of permanent impairment for workers' compensation purposes. Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1261: A BILL for an Act to amend and reenact section 65-05-15 of the North Dakota Century Code, relating to payment of work-related injuries on an aggravation basis.

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

HB 1294: A BILL for an Act to amend and reenact subsection 3 of section 21-03-07 of the North Dakota Century Code, relating to bonding for federal aid bridge projects.

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

HB 1309: A BILL for an Act to amend and reenact section 49-10.1-05 of the North Dakota Century Code, relating to the authority, jurisdiction, and powers of railroad police.

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

HB 1311: A BILL for an Act to create and enact sections 57-43.2-02.2 and 57-43.2-02.3 of the North Dakota Century Code, relating to special fuels tax refunds and exemptions; to amend and reenact sections 57-43.1-01, 57-43.1-03, 57-43.1-03.1, 57-43.1-04, 57-43.1-05, 57-43.1-06, 57-43.1-07, 57-43.1-11, 57-43.1-17, 57-43.1-20, 57-43.2-01, 57-43.2-02, 57-43.2-03, 57-43.2-04, and 57-43.2-14 of the North Dakota Century Code, relating to motor vehicle fuels and special fuels taxes and administration; to repeal sections 57-43.1-09, 57-43.1-10, and 57-43.1-19 of the North Dakota Century Code, relating to motor vehicle fuels tax refunds and invoices; to provide an effective date; and to declare an emergency.

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

HB 1315: A BILL for an Act to amend and reenact sections 15-63-02, 15-63-03, and 15-63-04 of the North Dakota Century Code, relating to eligibility of candidates for scholarships awarded by the state board for Indian scholarships.

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

HB 1328: A BILL for an Act to repeal section 4-10.5-08 of the North Dakota Century Code, relating to soybean assessment refunds.

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

HB 1335: A BILL for an Act to amend and reenact section 50-24.4-15 of the North Dakota Century Code, relating to recapture of depreciation in setting nursing home rates.

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

HB 1344: A BILL for an Act to amend and reenact section 47-16-30.1 of the North Dakota Century Code, relating to a lessor's rights in abandoned property.

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

HB 1345: A BILL for an Act to amend and reenact section 33-06-02 of the North Dakota Century Code, relating to service of process in eviction actions.

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

HB 1350: A BILL for an Act to amend and reenact section 12.1-21-05 of the North Dakota Century Code, relating to classification of criminal mischief offenses; and to provide a penalty.

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

HB 1358: A BILL for an Act to amend and reenact section 14-09-06.3 of the North Dakota Century Code, relating to the costs of custody investigations and reports.

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

HB 1359: A BILL for an Act to amend and reenact subsection 4 of section 19-03.1-23 of the North Dakota Century Code, relating to drug offenses.

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

HB 1360: A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to state officer and employee expense reimbursement.

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

HB 1384: A BILL for an Act to amend and reenact sections 43-09-22 and 43-09-23 of the North Dakota Century Code, relating to the inspections and penalties imposed by the state electrical board.

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

HB 1389: A BILL for an Act to amend and reenact subsection 2 of section 11-09.1-05 of the North Dakota Century Code, relating to limitations on the authority of a home rule county to supersede certain laws relating to special assessments.

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

HB 1405: A BILL for an Act to amend and reenact sections 20.1-12-05, 20.1-12-06, and 20.1-12-07 of the North Dakota Century Code, relating to the operation of private shooting preserves; and to repeal section 20.1-12-06.1 of the North Dakota Century Code, relating to harvest of game birds on private shooting preserves.

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

HB 1412: A BILL for an Act to create and enact a new subsection to section 10-04-06 of the North Dakota Century Code, relating to a "test the waters" exemption to registration of securities.

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