

## JOURNAL OF THE SENATE

## Fifty-sixth Legislative Assembly

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Bismarck, February 4, 1999

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

The prayer was offered by Pastor Tom Dunham, First Lutheran Church, Bismarck.

The roll was called and all members were present except Senators C. Nelson, W. Stenehjem, and Urlacher.

A quorum was declared by the President.

**THE SENATE RECOGNIZED THE PRESENCE OF:**

Former Senator Harry Iszler.

**MOTION**

**SEN. ST. AUBYN MOVED** that SB 2030 and SB 2220, which are on the Eleventh order, be laid over two legislative days, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2060: SEN. MUTZENBERGER (Human Services Committee) MOVED** that the amendments on SJ page 227 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2074: SEN. COOK (Education Committee) MOVED** that the amendments on SJ pages 227-228 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**MOTION**

**SEN. G. NELSON MOVED** that SB 2074, as amended, be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2074:** A BILL for an Act to create and enact a new section to chapter 15-36 of the North Dakota Century Code, relating to grounds for the automatic denial or revocation of teaching certificates; 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 44 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Tallackson; Thane; Thompson; Tomac; Traynor; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Bercier; Krebsbach; Nelson, C.; Stenehjem, W.; Urlacher

Engrossed SB 2074 passed, the title was agreed to, and the emergency clause was declared carried.

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**CONSIDERATION OF AMENDMENTS**

**SB 2151: SEN. FLAKOLL (Education Committee) MOVED** that the amendments on SJ page 228 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2235: SEN. KELSH (Education Committee) MOVED** that the amendments on SJ pages 228-229 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**MOTION**

**SEN. ST. AUBYN MOVED** that SB 2235, as amended, be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2235:** A BILL for an Act to create and enact a new section to chapter 15-29 of the North Dakota Century Code, or in the alternative to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to school district employees' group health plans.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Tallackson; Thane; Thompson; Tomac; Traynor; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Nelson, C.; Stenehjem, W.; Urlacher

Engrossed SB 2235 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SB 2270: SEN. KLEIN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 229 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2279: SEN. THANE (Human Services Committee) MOVED** that the amendments on SJ pages 229-230 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2303: SEN. D. MATHERN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 230 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2314: SEN. REDLIN (Education Committee) MOVED** that the amendments on SJ pages 230-231 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**MOTION**

**SEN. G. NELSON MOVED** that SB 2314, as amended, be placed on the Eleventh order for immediate reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2314:** A BILL to authorize the state board of higher education to approve a lease-purchase agreement.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Tallackson; Thane; Thompson; Tomac; Traynor; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Nelson, C.; Stenehjem, W.; Urlacher

Engrossed SB 2314 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2331: SEN. B. STENEHJEM (Finance and Taxation Committee) MOVED** that the amendments on SJ page 231 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

#### MOTION

**SEN. G. NELSON MOVED** that SB 2331, as amended, be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2331:** A BILL for an Act to create and enact a new section to chapter 58-03 of the North Dakota Century Code, relating to sales, use, and excise taxes imposed by townships.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 11 YEAS, 35 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Kelsh; Kinnoin; Lindaas; Mathern, D.; Mutzenberger; O'Connell; Redlin; Tallackson; Thompson; Traynor

**NAYS:** Andrist; Bowman; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lyson; Mathern, T.; Mutch; Naaden; Nelson, G.; Nothing; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Thane; Tomac; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Nelson, C.; Stenehjem, W.; Urlacher

Engrossed SB 2331 lost.

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#### CONSIDERATION OF AMENDMENTS

**SB 2381: SEN. FLAKOLL (Education Committee) MOVED** that the amendments on SJ page 231 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

**SB 2388: SEN. DEMERS (Human Services Committee) MOVED** that the amendments on SJ page 231 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

**SB 2420: SEN. KLEIN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 231 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

**SCR 4012: SEN. SOLBERG (Appropriations Committee) MOVED** that the amendments on SJ pages 231-232 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

**SCR 4013: SEN. HOLMBERG (Appropriations Committee) MOVED** that the amendments on SJ page 232 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2258:** 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 the authority of counties to impose sales taxes under home rule.

**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 20 YEAS, 26 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christmann; Cook; Freborg; Heitkamp; Kinnoin; Klein; Krauter; Kroeplin; Mutch; Naaden; O'Connell; Robinson; Solberg; Stenehjem, B.; Tomac; Wanzek; Watne

**NAYS:** DeMers; Fischer; Flakoll; Grindberg; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutzenberger; Nelson, G.; Nething; Redlin; Sand; Schobinger; St. Aubyn; Tallackson; Thane; Thompson; Traynor; Wardner

**ABSENT AND NOT VOTING:** Nelson, C.; Stenehjem, W.; Urlacher

SB 2258 lost.

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**MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)**

**MADAM PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1037, HB 1041, HB 1146, HB 1170, HB 1226, HB 1281, HB 1285, HB 1286, HB 1357, HB 1359, HB 1366, HB 1372, HB 1384, HB 1391, HB 1393, HB 1401, HB 1467.

**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 2029, SB 2071, SB 2096, SB 2131, SB 2196, SB 2291, SB 2313, SB 2373.

**MOTION**

**SEN. G. NELSON MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**SEN. G. NELSON MOVED** that the Senate be on the Fifth and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, February 5, 1999, 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** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "1,924,005" with "1,876,350"

Page 1, line 17, replace "Roughrider" with "Rough rider"

Page 1, line 18, replace "2,141,375" with "2,093,720"

Page 2, line 2, replace "eighty-two" with "seventy-six", replace "three" with "eight", and replace "sixty-eight" with "seventy-nine"

Page 2, line 3, after "2000" insert ", seventy-eight thousand four hundred seventeen dollars through December 31, 2000", replace "eighty-four" with "eighty-three", remove "eight", overstrike "hundred", and replace "forty" with "thirteen"

Page 2, line 8, remove the overstrike over "one", remove "eight", and replace "four" with "eighty-three"

Page 2, line 9, replace "sixty-five" with "sixty-four" and replace "seven" with "four"

Page 2, line 10, replace "twenty-four" with "forty-seven"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

DEPARTMENT 101 - GOVERNOR'S OFFICE

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$1,924,005	(\$47,655)	\$1,876,350
Operating expenses	178,870		178,870
Equipment	4,200		4,200
Contingency	10,000		10,000
Presidential electors	500		500
Governor's transition in	10,000		10,000
Governor's transition out	5,000		5,000
Rough Rider Awards	<u>8,800</u>		<u>8,800</u>
Total all funds	\$2,141,375	(\$47,655)	\$2,093,720
Less special funds			
General fund	\$2,141,375	(\$47,655)	\$2,093,720
FTE	17.00	0.00	17.00

Detail of Senate changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY MARKET ADJUSTMENTS TO JANUARY 1, 2001 <sup>1</sup>	TOTAL SENATE CHANGES
Salaries and wages	(\$24,738)	\$4,847	(\$27,764)	(\$47,655)
Operating expenses				
Equipment				
Contingency				
Presidential electors				
Governor's transition in				
Governor's transition out				
Rough Rider Awards				
Total all funds	(\$24,738)	\$4,847	(\$27,764)	(\$47,655)
Less special funds				
General fund	(\$24,738)	\$4,847	(\$27,764) <sup>1</sup>	(\$47,655)

<sup>1</sup> In addition to the two percent annual salary adjustments, provides a market adjustment for the chief of staff of \$171.25/month, media relations coordinator of \$320.25/month, legislative liaison of \$310.50/month, the director of constituent relations of \$84.83/month, and the Governor of \$383/month. The Governor's annual salary would change as follows: Current - \$75,372; July 1, 1999 - \$76,879; July 1, 2000 - \$78,417; and January 1, 2001 - \$83,013. The Lieutenant Governor's annual salary would change as follows: Current - \$61,944; July 1, 1999 - \$63,183; and July 1, 2000 - \$64,447.

#### REPORT OF STANDING COMMITTEE

**SB 2005: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2005 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "603,242" with "595,766"

Page 1, line 13, replace "702,321" with "694,845"

Page 1, line 17, replace "sixty" with "fifty-eight", replace "six" with "two", after "sixty-four" insert "sixty-two", and after "2000" insert ", fifty-nine thousand four hundred twenty-eight dollars through December 31, 2000"

Page 1, line 18, replace "sixty-two" with "sixty-one", remove the overstrike over "one", remove "four", and replace "twenty-four" with "forty-two"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### DEPARTMENT 120 - STATE TREASURER

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$603,242	(\$7,476)	\$595,766
Operating expenses	95,079		95,079
Equipment	<u>4,000</u>		<u>4,000</u>
Total all funds	\$702,321	(\$7,476)	\$694,845
Less special funds			
General fund	\$702,321	(\$7,476)	\$694,845
FTE	7.00	0.00	7.00

Detail of Senate changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY MARKET SALARY ADJUSTMENT TO JANUARY 1, 2001	PROVIDE FOR A MARKET SALARY ADJUSTMENT FOR THE DEPUTY	TOTAL SENATE CHANGES
Salaries and wages	(\$7,952)	\$1,995	(\$3,123)	\$1,604	(\$7,476)
Operating expenses					
Equipment					0
Total all funds	(\$7,952)	\$1,995	(\$3,123)	\$1,604	(\$7,476)
Less special funds					0
General fund	(\$7,952)	\$1,995	(\$3,123)	\$1,604	(\$7,476)
FTE	0.00	0.00	0.00	0.00	0.00

Senate changes narrative:

In addition to the two percent annual salary increases, funding is included to provide the State Treasurer with a market equity salary increase of \$142.83 per month for the final six months of the biennium. The statutory annual salary for the State Treasurer will be:

Current salary	\$57,120
July 1, 1999	\$58,262
July 1, 2000	\$59,428
January 1, 2001	\$61,142

In addition to the 2 percent annual salary increase, funding is included to provide the deputy treasurer with a market equity salary increase of \$229 per month for the final 6 months of the biennium.

### REPORT OF STANDING COMMITTEE

**SB 2006: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2006 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and" and after "57-01-04" insert "and subsection 2 of section 57-01-13"

Page 1, line 4, after "commissioner" insert "and the payment of fees for services rendered by a collection or credit agency; to provide a continuing appropriation for the payment of fees for services rendered by a collection or credit agency; and to provide a contingent expiration date"

Page 1, line 14, replace "11,888,357" with "11,761,828"

Page 1, line 19, replace "17,403,637" with "17,277,108"

Page 1, line 21, replace "17,109,908" with "16,983,379"

Page 2, line 15, replace "sixty-five" with "fifty-eight"

Page 2, line 16, replace "eight" with "two", replace "ninety-two" with "sixty-two", and after "2000" insert ", fifty-nine thousand four hundred twenty-eight dollars through December 31, 2000"

Page 2, line 17, replace "sixty-seven" with "sixty-six", replace "eight" with "two", and replace "seventy-two" with "eighty-two"

Page 2, after line 17, insert:

**"SECTION 5. AMENDMENT.** Subsection 2 of section 57-01-13 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. a. Fees for services, reimbursement, or any other remuneration to a collection or credit agency must be based on the amount of tax, penalty, and interest actually collected. Each contract entered into between the tax commissioner and the collection or credit agency must provide for the payment of fees for the services, reimbursements, or other remuneration not in excess of fifty percent of the amount of delinquent sales, use, motor vehicle fuels, special fuels, importer for use, aviation fuel, motor vehicle excise, income, or business and corporation privilege tax, including penalties and interest actually collected.
- b. All funds collected, ~~less the fees for collection services, as provided in the contract,~~ by the collection or credit agency must be remitted to the

tax commissioner monthly from the date of collection from a taxpayer. Forms to be used for the remittances must be prescribed by the tax commissioner. The tax commissioner shall transfer the funds to the state treasurer for deposit in the state general fund. An amount equal to the amount of fees for services, reimbursement, or any other remuneration to the collection or credit agency as set forth in the contract authorized by this section is appropriated as a standing and continuing appropriation to the tax commissioner for payment of fees due under the contract.

- c. Before entering into a contract, the tax commissioner shall require a bond from the collection or credit agency not in excess of ten thousand dollars, guaranteeing compliance with the terms of the contract.

**SECTION 6. CONTINGENT EXPIRATION DATE.** Section 5 of this Act is effective until such time as section 12 of article X of the Constitution of North Dakota is effectively amended to provide for the retention of public money by a nongovernmental entity as fees for services rendered to the state of North Dakota."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### DEPARTMENT 127 - TAX DEPARTMENT

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$11,888,357	(\$126,529)	\$11,761,828
Operating expenses	4,803,051		4,803,051
Equipment	368,500		368,500
City tax administration fees	50,000		50,000
Motor fuels federal grant	<u>293,729</u>		<u>293,729</u>
Total all funds	\$17,403,637	(\$126,529)	\$17,277,108
Less special funds	<u>293,729</u>		<u>293,729</u>
General fund	\$17,109,908	(\$126,529)	\$16,983,379
FTE	144.00	0.00	144.00

Detail of Senate changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY MARKET SALARY ADJUSTMENTS TO 1/1/01	TOTAL SENATE CHANGES
Salaries and wages	(\$148,810)	\$41,342	(\$19,061) <sup>1,2</sup>	(\$126,529)
Operating expenses				
Equipment				
City tax administration fees				
Motor fuels federal grant				
Total all funds	(\$148,810)	\$41,342	(\$19,061)	(\$126,529)
Less special funds				
General fund	(\$148,810)	\$41,342	(\$19,061)	(\$126,529)
FTE	0.00	0.00	0.00	0.00

Senate changes narrative:

<sup>1</sup> In addition to the two percent annual salary increases, funding is included to provide the commissioner a market equity salary increase of \$571.17 per month for the final six months of the biennium. The statutory annual salary for the commissioner will be:

Current salary	\$57,120
July 1, 1999	\$58,262
July 1, 2000	\$59,428
January 1, 2001	\$66,282

<sup>2</sup> In addition to the two percent annual salary increases, funding is included to provide the deputy commissioner a market equity salary increase of \$159.75 per month for the final six months of the biennium and the tax supervisor of assessments a market salary increase of \$140.83 per month for the final six months of the biennium.

A section is added providing the commissioner with a continuing appropriation to pay collection agency fees from the funds collected and remitted to the state by the collection agency. The section is effective until the constitution is amended to allow nongovernmental agencies, such as collection agencies, to retain their fees prior to remitting the funds collected to the state.

## REPORT OF STANDING COMMITTEE

**SB 2010: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2010 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the first "and", replace "section" with "sections", and after "26.1-01-09" insert "and 26.1-23-03"

Page 1, line 3, after "commissioner" insert "and the unsatisfied judgment fund; and to provide for a legislative council study"

Page 1, line 11, replace "4,244,556" with "4,195,649"

Page 1, line 14, replace "5,901,000" with "5,852,093"

Page 1, line 21, replace "\$110,491" with "\$67,431"

Page 2, line 6, replace "\$39,863" with "\$4,170"

Page 2, line 10, replace "\$254,959" with "\$68,820"

Page 2, after line 12, insert:

**"SECTION 7. LEGISLATIVE COUNCIL STUDY.** The legislative council shall consider studying, during the 1999-2000 interim, the activities of and the need for continuing the petroleum tank release compensation fund."

Page 2, line 16, replace "sixty-two" with "fifty-eight", replace "three" with "two", and replace "sixty-four" with "sixty-two"

Page 2, line 17, after "2000" insert ", fifty-nine thousand four hundred twenty-eight dollars through December 31, 2000", replace "sixty-four" with "sixty-two", replace "two" with "eight", and replace "thirty-six" with "fifty-five"

Page 2, after line 18, insert:

**"SECTION 9. AMENDMENT.** Section 26.1-23-03 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-23-03. Additional registration fee - Deposit in fund - Suspension of fee.** At the time of registering a motor vehicle, the owner shall pay to the director of the department of transportation, in addition to the registration fees, a fee of one dollar for each motor vehicle registered. The fees must be deposited with the state treasurer who shall credit the fees to the unsatisfied judgment fund. If on June first of any year the amount of uncommitted money in the fund is ~~three hundred one hundred fifty~~ thousand dollars or more, the requirement for the payment of the fee is suspended during the succeeding year and until the year in which the fee is reimposed. The fee must be reimposed for any year whenever on June first of the previous year the uncommitted amount of the fund is less than ~~three hundred one hundred fifty~~ thousand dollars."

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 401 - INSURANCE DEPARTMENT

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$4,244,556	(\$48,907)	\$4,195,649
Operating expenses	1,503,289		1,503,289
Equipment	<u>153,155</u>		<u>153,155</u>
Total special funds	\$5,901,000	(\$48,907)	\$5,852,093
Less special funds			
General fund	\$5,901,000	(\$48,907)	\$5,852,093
FTE	45.50	0.00	45.50

Detail of Senate changes to the executive budget include:



	REDUCE COMPENSATION PACKAGE TO 2/2	DELAY COMMISSIONER'S MARKET ADJUST. TO 1/1/2001	ADJUST HEALTH INSURANCE COST	TOTAL SENATE CHANGES
Salaries and wages	(\$56,063)	(\$6,244) <sup>1</sup>	\$13,400	(\$48,907)
Operating expenses				
Equipment				
Total special funds	(\$56,063)	(\$6,244)	\$13,400	(\$48,907)
Less special funds				
General fund	(\$56,063)	(\$6,244)	\$13,400	(\$48,907)
FTE	0.00	0.00	0.00	0.00

Senate changes narrative:

<sup>1</sup> In addition to the 2 percent annual salary increases, funding is included to provide the commissioner a market equity increase of \$285.58 per month for the final 6 months of the biennium. The statutory annual salary for the commissioner will be:

Current salary	\$57,120
July 1, 1999	58,262
July 1, 2000	59,428
January 1, 2001	62,855

Reduces administrative costs allocated to the bonding fund by \$43,060, from \$110,491 to \$67,431, administrative costs allocated to the petroleum tank release compensation fund by \$186,139, from \$254,959 to \$68,820, and the administrative costs allocated to the unsatisfied judgment fund by \$35,693, from \$39,863 to \$4,170. The administrative costs included are in addition to the investment management fees of .30 percent paid on the investment of these funds.

A section is added amending NDCC Section 26.1-23-03 to change the level of the unsatisfied judgment fund at which a \$1 fee is imposed on motor vehicle registrations from a fund balance on June 1 of under \$300,000 to a fund balance on June 1 of under \$150,000.

A section is added providing for an interim Legislative Council study of the activities of and the need for continuing the petroleum tank release compensation fund.

### REPORT OF STANDING COMMITTEE

**SB 2011: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2011 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "824,909" with "810,067"

Page 1, line 12, replace "1,104,883" with "1,090,041"

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### DEPARTMENT 414 - SECURITIES COMMISSIONER

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$824,909	(\$14,842)	\$810,067
Operating expenses	259,174		259,174
Equipment	<u>20,800</u>		<u>20,800</u>
Total all funds	\$1,104,883	(\$14,842)	\$1,090,041
Less special funds			
General fund	\$1,104,883	(\$14,842)	\$1,090,041
FTE	8.00	0.00	8.00

Detail of Senate changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY MARKET SALARY ADJUSTMENT TO JANUARY 1, 2001	TOTAL SENATE CHANGES
Salaries and wages	(\$11,042)	\$2,280	(\$6,080)	(\$14,842)
Operating expenses				
Equipment				
Total all funds	(\$11,042)	\$2,280	(\$6,080)	(\$14,842)
Less special funds				
General fund	(\$11,042)	\$2,280	(\$6,080)	(\$14,842)

Senate changes narrative:

In addition to the two percent annual salary increases, funding is included to provide the commissioner with a market equity salary increase of \$278.08 per month for the final six months of the biennium.

### REPORT OF STANDING COMMITTEE

**SB 2014: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2014 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "2,282,345" with "2,255,977"

Page 1, line 12, replace "810,553" with "784,185"

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 360 - PROTECTION AND ADVOCACY PROJECT

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Total all funds	\$2,282,345	(\$26,368)	\$2,255,977
Less special funds	<u>1,471,792</u>		<u>1,471,792</u>
General fund	\$810,553	(\$26,368)	\$784,185
FTE	22.00	0.00	22.00

Detail of Senate changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY DIRECTORS MARKET ADJUSTMENT TO JANUARY 1, 2001 <sup>1</sup>	TOTAL SENATE CHANGES
Total all funds	(\$23,348)	\$6,557	(\$9,577)	(\$26,368)
Less special funds				
General fund	(\$23,348)	\$6,557	(\$9,577)	(\$26,368)

<sup>1</sup> In addition to the 2 percent annual salary increases provides a market salary adjustment for the director of the Protection and Advocacy Project of \$438/month on January 1, 2001.

### REPORT OF STANDING COMMITTEE

**SB 2017: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2017 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "3,138,535" with "3,113,511"

Page 1, line 14, replace "13,181,219" with "13,148,810"

Page 1, line 16, replace "5,381,599" with "5,342,154"

Page 1, line 17, replace "106,101" with "105,584"

Page 1, line 19, replace "26,813,952" with "26,716,557"

Page 1, line 20, replace "18,325,307" with "18,254,815"

Page 1, line 21, replace "8,488,645" with "8,461,742"

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 540 - ADJUTANT GENERAL

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$3,138,535	(\$25,024)	\$3,113,511
Operating expenses	2,790,586		2,790,586
Equipment	50,000		50,000
Capital improvements	834,000		834,000
Grants	355,226		355,226
Army guard contract	13,181,219	(32,409)	13,148,810
Tuition and enlistment	967,500		967,500
Air guard contract	5,381,599	(39,445)	5,342,154
Civil air patrol	106,101	(517)	105,584
Civil air patrol-workers comp prem	<u>9,186</u>		<u>9,186</u>
Total all funds	\$26,813,952	(\$97,395)	\$26,716,557
Less special funds	<u>18,325,307</u>	<u>(70,492)</u>	<u>18,254,815</u>
General fund	\$8,488,645	(\$26,903)	\$8,461,742
FTE	133.00	0.00	133.00

Detail of Senate changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COSTS	TOTAL SENATE CHANGES
Salaries and wages	(\$34,575)	\$9,551	(\$25,024)
Operating expenses			
Equipment			
Capital improvements			
Grants			
Army guard contract	(44,669)	12,260	(32,409)
Tuition and enlistment			
Air guard contract	(55,127)	15,682	(39,445)
Civil air patrol	(802)	285	(517)
Civil air patrol-workers comp prem			
Total all funds	(\$135,173)	\$37,778	(\$97,395)
Less special funds	<u>(97,835)</u>	<u>27,343</u>	<u>70,492</u>
General fund	(\$37,338)	\$10,435	(\$26,903)
FTE	0.00	0.00	0.00

#### REPORT OF STANDING COMMITTEE

**SB 2025: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2025 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "1,475,280" with "1,447,708"

Page 1, line 12, replace "883,021" with "943,021"

Page 1, line 15, replace "2,489,501" with "2,521,929"

Page 1, line 18, replace "1,823,047" with "1,811,667"

Page 1, line 22, replace "3,063,515" with "3,052,135"

Page 1, line 23, replace "5,553,016" with "5,574,064"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 190 - RETIREMENT AND INVESTMENT OFFICE

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$1,475,280	(\$27,572)	\$1,447,708
Operating expenses	883,021	60,000	943,021
Equipment	49,200		49,200
Contingency	<u>82,000</u>		<u>82,000</u>
Total all funds	\$2,489,501	\$32,428	\$2,521,929
Less special funds	<u>2,489,501</u>	<u>32,428</u>	<u>2,521,929</u>
General fund	\$0	\$0	\$0
FTE	17.00	0.00	17.00

Detail of Senate changes to the executive budget include:

	DELAY MARKET SALARY INCREASE TO JANUARY 1, 2001	REDUCE COMPENSATION PACKAGE TO 2/2	INCREASE HEALTH INSURANCE COST	INCREASE OPERATING EXPENSES	TOTAL SENATE CHANGES
Salaries and wages	(\$13,381)	(\$19,038)	\$4,847		(\$27,572)
Operating expenses				\$60,000	60,000
Equipment					
Contingency					
Total all funds	(\$13,381)	(\$19,038)	\$4,847	\$60,000	\$32,428
Less special funds	<u>(13,381)</u>	<u>(19,038)</u>	<u>4,847</u>	<u>60,000</u>	<u>32,428</u>
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00

Senate changes narrative:

This amendment makes the following changes:

Delays until January 1, 2001, implementation of a market salary increase for the investment director. The salary adjustment will provide an increase of approximately \$612 per month for the last six months of the biennium.

Reduces salary increases to 2 percent in July 1999 and 2 percent in July 2000.

Increases salaries and wages for increased health insurance costs.

Increases operating expenses to reflect programming expenses budgeted for the 1997-99 biennium, but which will not be incurred until the 1999-2001 biennium.

#### DEPARTMENT 192 - PUBLIC EMPLOYEES RETIREMENT SYSTEM

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$1,823,047	(\$11,380)	\$1,811,667
Operating expenses	1,208,468		1,208,468
Equipment	7,000		7,000
Contingency	<u>25,000</u>		<u>25,000</u>
Total all funds	\$3,063,515	(\$11,380)	\$3,052,135
Less special funds	<u>3,063,515</u>	<u>(11,380)</u>	<u>3,052,135</u>
General fund	\$0	\$0	\$0
FTE	24.00	0.00	24.00

Detail of Senate changes to the executive budget include:

	DELAY EXECUTIVE DIRECTOR MARKET SALARY INCREASE TO JANUARY 1, 2001	REDUCE COMPENSATION PACKAGE TO 2/2	INCREASE HEALTH INSURANCE COST	TOTAL SENATE CHANGES
Salaries and wages	(\$1,201)	(\$17,021)	\$6,842	(\$11,380)
Operating expenses				
Equipment				
Contingency				
Total all funds	(\$1,201)	(\$17,021)	\$6,842	(\$11,380)
Less special funds	<u>(1,201)</u>	<u>(17,021)</u>	<u>6,842</u>	<u>(11,380)</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Senate changes narrative:

This amendment makes the following changes:

Delays until January 1, 2001, implementation of a market salary increase for the executive director. This salary adjustment will provide an increase of approximately \$55 per month for the last six months of the biennium.

Reduces salary increases to two percent in July 1999 and two percent in July 2000.

Increases salaries and wages to reflect increased health insurance costs.

#### REPORT OF STANDING COMMITTEE

**SB 2127: Transportation Committee (Sen. B. Stenehjem, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2127 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to provide a penalty"

Page 1, line 7, remove the overstrike over "~~three~~" and remove "five"

Page 1, line 13, remove the overstrike over "~~three through~~" and remove "five through"

Page 1, line 20, remove the overstrike over "~~twenty~~" and remove "forty"

Page 1, remove line 21

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2202, as engrossed: Appropriations Committee (Sen. Nething, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2202 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2230: Education Committee (Sen. Freborg, Chairman)** recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2230 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2256: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2256 was placed on the Sixth order on the calendar.

Page 1, line 12, after "3." insert "'Telecommunications company" means that term as defined in section 49-21-01.

4."

Page 2, line 8, after "solicitations" insert ", except the commission may not require a telecommunications company to provide that notification to its subscribers"

Page 2, line 11, after "notice" insert ", except the commission may not require a telecommunications company to receive that notice from its subscribers"

Page 2, line 15, after "base" insert ", except the commission may not require a telecommunications company to receive or collect the objections and revocations from its subscribers"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2260: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2260 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2286: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2286 was placed on the Sixth order on the calendar.

Page 1, line 15, remove ", including the complaint and response,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2296: Education Committee (Sen. Freborg, Chairman)** recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2296 was placed on the Eleventh order on the calendar.

## REPORT OF STANDING COMMITTEE

**SB 2310: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2310 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections 52-04-05," with "subsection 2 of section", remove the second comma, and after the second "and" insert "section"

Page 1, line 2, replace ", definitions," with "and"

Page 1, line 3, remove ", and rates"

Page 1, remove lines 5 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 29

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 12

Page 6, line 30, remove the overstrike over "~~2.29~~" and remove "1.73"

Page 6, line 31, remove the overstrike over "~~2.30~~", remove "1.74", remove the overstrike over "~~2.44~~", and remove "1.97"

Page 7, line 1, remove the overstrike over "~~2.45~~", remove "1.98", remove the overstrike over "~~2.59~~", and remove "2.21"

Page 7, line 2, remove the overstrike over "~~2.60~~", remove "2.22", remove the overstrike over "~~2.74~~", and remove "2.45"

Page 7, line 3, remove the overstrike over "~~2.75~~", remove "2.46", remove the overstrike over "~~2.89~~", and remove "2.69"

Page 7, line 4, remove the overstrike over "~~2.90~~", remove "2.70", remove the overstrike over "~~3.04~~", and remove "2.93"

Page 7, line 5, remove the overstrike over "~~3.05~~", remove "2.94", remove the overstrike over "~~3.19~~", and remove "3.17"

Page 7, line 6, remove the overstrike over "~~3.20~~" and remove "3.18"

Page 7, line 7, remove the overstrike over "~~Any otherwise eligible individual whose entire base period earnings were paid by~~"

Page 7, remove the overstrike over lines 8 through 12

Page 7, line 13, remove the overstrike over "~~wages to highest quarter base period wages~~" and after the overstruck colon insert an underscored period

Page 7, line 17, replace "sixteen" with "twelve" and replace the underscored period with an underscored colon

Page 7, remove the overstrike over lines 18 through 27

Page 8, line 3, remove the overstrike over "~~2.29~~" and remove "1.73"

Page 8, line 4, remove the overstrike over "~~2.30~~", remove "1.74", remove the overstrike over "~~2.44~~", and remove "1.97"

Page 8, line 5, remove the overstrike over "~~2.45~~", remove "1.98", remove the overstrike over "~~2.59~~", and remove "2.21"

Page 8, line 6, remove the overstrike over "~~2.60~~", remove "2.22", remove the overstrike over "~~2.74~~", and remove "2.45"

Page 8, line 7, remove the overstrike over "~~2.75~~", remove "2.46", remove the overstrike over "~~2.89~~", and remove "2.69"

Page 8, line 8, remove the overstrike over "~~2.90~~", remove "2.70", remove the overstrike over "~~3.04~~", and remove "2.93"

Page 8, line 9, remove the overstrike over "~~3.05~~", remove "2.94", remove the overstrike over "~~3.19~~", and remove "3.17"

Page 8, line 10, remove the overstrike over "~~3.20~~" and remove "3.18"

Page 8, after line 10, insert:

"Any otherwise eligible individual whose total base-period wages are less than one and one-half times the individual's total wages paid during the quarter of the individual's base period in which the individual's wages were the highest is entitled during the individual's benefit year to benefits twelve times the individual's weekly benefit amount."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2337: Education Committee (Sen. Freborg, Chairman)** recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2337 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2342: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2342 was placed on the Sixth order on the calendar.

Page 1, line 6, after the second "the" insert "award must be determined based on the", overstrike the third "the" and insert immediately thereafter "of whole body", and overstrike "bears to"

Page 1, line 7, overstrike "total impairment must be determined" and overstrike "the first applicable whole"

Page 1, line 8, overstrike "body impairment" and insert immediately thereafter "the following"

Page 1, line 9, replace "five" with "ten"

Page 1, after line 9, insert:

"For eleven to fourteen percent impairment

10 weeks"

Page 1, line 10, remove the overstrike over "~~For~~" and insert immediately thereafter "fifteen to", remove the overstrike over "~~sixteen percent impairment~~", after "5" insert "15", and remove the overstrike over "~~weeks~~"

Page 1, line 11, remove the overstrike over "~~For seventeen~~" and insert immediately thereafter "to eighteen", remove the overstrike over "~~percent impairment~~", after "5" insert "20", and remove the overstrike over "~~weeks~~"

Page 1, line 13, remove the overstrike over "~~For nineteen~~" and insert immediately thereafter "to twenty", remove the overstrike over "~~percent impairment~~", after "40" insert "25", and remove the overstrike over "~~weeks~~"

Page 1, line 15, remove the overstrike over "~~For twenty-one~~" and insert immediately thereafter "to twenty-two", remove the overstrike over "~~percent impairment~~", after "45" insert "30", and remove the overstrike over "~~weeks~~"

Page 1, line 17, remove the overstrike over "~~twenty-three~~", replace "six" with "to twenty-four", and overstrike "20" and insert immediately thereafter "35"

Page 1, line 19, remove the overstrike over "~~For twenty-five~~" and insert immediately thereafter "to twenty-six", remove the overstrike over "~~percent impairment~~", after "25" insert "40", and remove the overstrike over "~~weeks~~"

Page 1, line 20, overstrike "For", remove "ten", overstrike "percent impairment", and overstrike "30 weeks"

Page 1, line 21, remove the overstrike over "~~For twenty-seven~~" and insert immediately thereafter "to twenty-eight", remove the overstrike over "~~percent impairment~~", after "35" insert "45", and remove the overstrike over "~~weeks~~"

Page 1, line 22, overstrike "For", remove "fifteen", overstrike "percent impairment", and overstrike "40 weeks"

Page 1, line 24, after "For" insert "twenty-nine to", remove the overstrike over "~~thirty~~", and remove "twenty"

Page 2, line 1, remove the overstrike over "~~thirty-one~~" and remove "twenty-five"

Page 2, line 2, remove the overstrike over "~~thirty-two~~" and remove "thirty"

Page 2, remove line 3

Page 2, line 4, remove the overstrike over "~~thirty-three~~" and remove "thirty-two"

Page 2, remove line 5

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2401: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2401 was placed on the Sixth order on the calendar.

Page 1, line 9, after "A" insert "manufactured"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SCR 4011: Appropriations Committee (Sen. Nething, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SCR 4011 was placed on the Eleventh order on the calendar.

#### FIRST READING OF HOUSE BILLS

**HB 1037:** A BILL for an Act to create and enact a new section to chapter 28-01.3 and a new section to chapter 32-12 of the North Dakota Century Code, relating to the liability of the state for a contract claim resulting from the failure of computers or computer equipment and to the liability of a manufacturer for a year 2000 claim; and to amend and reenact sections 28-01.3-04, 28-01.3-06, subsection 3 of section 32-12.1-03, and subsection 3 of section 32-12.2-02 of the North Dakota Century Code, relating to the liability of political subdivisions and the state for a claim resulting from the failure of computers or computer equipment as a result of the year 2000 date change and to the liability of a nonmanufacturing seller for a year 2000 claim and the determination of a defective product.

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

**HB 1041:** 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 posting games of chance rules; and to amend and reenact sections 53-06.1-03, 53-06.1-06, 53-06.1-07.2, 53-06.1-07.3, 53-06.1-07.4, 53-06.1-10, subsection 5 of section 53-06.1-11, and subsection 5 of section 53-06.1-14 of the North Dakota Century Code, relating to games of chance.

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

**HB 1146:** A BILL for an Act to amend and reenact sections 42-03-01, 42-03-02, 42-03-03, and 42-03-04 of the North Dakota Century Code, relating to dogs as public nuisances.

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

**HB 1170:** A BILL for an Act to create and enact a new section to chapter 54-44.4 of the North Dakota Century Code, relating to approved vendors under state purchasing laws; to amend and reenact sections 12-48-07, 24-03-14, 46-01-02, 46-02-01, 46-02-09, 46-05-03, 54-23.2-02, 54-24-09, 54-44-04.5, 54-44-04.6, subsection 3 of section 54-44.2-02, subsections 4, 5, and 8 of section 54-44.4-02, sections 54-44.4-03, 54-44.4-05, 54-44.4-07, and 54-44.4-08 of the North Dakota Century Code, relating to



state purchasing and printing practices and the responsibilities of the office of management and budget; to repeal section 54-44-09 of the North Dakota Century Code, relating to the requirement that state purchases comply with United States bureau of standards; and to declare an emergency.

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

**HB 1226:** A BILL for an Act to amend and reenact section 46-06-02 of the North Dakota Century Code, relating to qualifications required of an official newspaper.

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

**HB 1281:** A BILL for an Act to create and enact a new chapter to title 61 of the North Dakota Century Code, relating to the creation of an irrigation district finance program; and to declare an emergency.

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

**HB 1285:** A BILL for an Act to amend and reenact subsection 3 of section 16.1-03-03 of the North Dakota Century Code, relating to political party election of precinct committeemen.

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

**HB 1286:** A BILL for an Act to create and enact a new section to chapter 5-02 of the North Dakota Century Code, relating to the retail sale of alcoholic beverages.

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

**HB 1357:** A BILL for an Act to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to the training of newly elected or appointed county officials.

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

**HB 1359:** A BILL for an Act to amend and reenact sections 34-11.1-04.1, 44-04-09, and 44-04-10 of the North Dakota Century Code, relating to the state nepotism law.

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

**HB 1366:** A BILL for an Act to amend and reenact sections 18-03-01, 18-03-02, 18-03-03, 18-03-04, 18-03-05, 18-03-06, 18-04-01, and 18-04-02 of the North Dakota Century Code, relating to the duties and responsibilities of the North Dakota firemen's association and the filing of annual organization certificates by fire departments.

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

**HB 1372:** A BILL for an Act to amend and reenact section 45-11-04.1 of the North Dakota Century Code, relating to fictitious name certificate renewals filed with the secretary of state.

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 section 50-24.1-02.3 of the North Dakota Century Code, relating to funeral expenses in claims against the estates of former medicaid recipients.

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

**HB 1391:** A BILL for an Act to provide for voluntary blood donation by minors.

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

**HB 1393:** A BILL for an Act to amend and reenact subsection 1 of section 41-09-43 of the North Dakota Century Code, relating to termination statement requirements and the timing of a debtor's request to a secured creditor to continue a financing statement.

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

**HB 1401:** A BILL for an Act to amend and reenact sections 50-22-01, 50-22-02, 50-22-02.1, 50-22-04, 50-22-04.2, and 50-22-05 of the North Dakota Century Code, relating to charitable solicitations; to repeal section 50-22-03 of the North Dakota Century Code, relating to charitable solicitation license applications; and to provide a penalty.

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

**HB 1467:** A BILL for an Act to create and enact three new sections to chapter 43-40 of the North Dakota Century Code, relating to complaints and investigations against occupational therapists and occupational therapy assistants and the board of occupational therapy practice recovering costs of prosecution; to amend and reenact sections 43-40-01, 43-40-02, 43-40-03, 43-40-04, 43-40-08, 43-40-10, 43-40-11, 43-40-12, 43-40-13, 43-40-15, 43-40-16, and 43-40-18 of the North Dakota Century Code, relating to licensing and practice of occupational therapists; to repeal section

43-40-09 of the North Dakota Century Code, relating to licensing occupational therapy assistants; and to provide a penalty.

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

The Senate stood adjourned pursuant to Senator G. Nelson's motion.

**WILLIAM C. PARKER, Secretary**