

## JOURNAL OF THE SENATE

## Fifty-sixth Legislative Assembly

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Bismarck, February 24, 1999

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

The prayer was offered by Pastor Lisa Ahlness, Lord of Life Lutheran Church, Bismarck.

The roll was called and all members were present except Senators Holmberg, C. Nelson, and Redlin.

A quorum was declared by the President.

**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 1007, HB 1024, HB 1034, HB 1035, HB 1158, HB 1165, HB 1252, HB 1291, HB 1294, HB 1344, HB 1380, HB 1417, HB 1443, HB 1475, HB 1476, HCR 3009, HCR 3014, HCR 3017, HCR 3019, HCR 3029, HCR 3030, HCR 3031, HCR 3033, HCR 3035, HCR 3037, HCR 3040, HCR 3045, HCR 3049, HCR 3051, HCR 3053, HCR 3054.

**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 1002, HB 1004, HB 1009, HB 1011, HB 1012, HB 1017, HB 1020, HB 1021, HB 1022, HB 1043, HB 1089, HB 1091, HB 1093, HB 1135, HB 1185, HB 1290, HB 1335, HB 1341, HB 1383, HB 1389, HB 1403, HB 1404, HB 1423, HB 1434, HCR 3038, HCR 3043.

**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 1003, HB 1015, HB 1016, HB 1183.

**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 1108.

**COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER**

This is to inform you that on February 18, 1999, I have signed the following: SB 2105.

**MOTION**

**SEN. ST. AUBYN MOVED** that HB 1383 and HB 1492 be returned to the Senate floor from the **Finance and Taxation Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Sen. St. Aubyn's motion, HB 1383 and HB 1492 were rereferred.

**MOTION**

**SEN. ST. AUBYN MOVED** that after action taken on the Sixth order, SCR 4020, SCR 4029, and SCR 4036 be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SCR 4020: SEN. D. MATHERN (Agriculture Committee) MOVED** that the amendments on SJ page 502 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4020:** A concurrent resolution urging Congress to assist farmers by removing or restricting the use of trade sanctions as they apply to agricultural products, by taking advantage of the export enhancement program, by removing the cap on marketing loans, and by reforming crop insurance so that farmers experiencing multiyear disasters could have access to adequate coverage.

**REQUEST**

**SEN. THOMPSON REQUESTED** a recorded roll call vote, which request was granted.

**ROLL CALL**

The question being on the final adoption of the amended resolution, 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; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, G.; Nething; O'Connell; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Holmberg; Nelson, C.; Redlin

Engrossed SCR 4020 was declared adopted and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SCR 4029: SEN. KREBSBACH (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 502-503 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4029:** A concurrent resolution supporting the removal of the telecommunications local access transport area (LATA) line in this state; and directing the Legislative Council to study the feasibility and desirability of removing the telecommunications local access transport area line in this state.

The question being on the final adoption of the amended resolution, which has been read.

Engrossed SCR 4029 was declared adopted on a voice vote and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SCR 4036: SEN. THANE (Human Services Committee) MOVED** that the amendments on SJ page 503 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4036:** A concurrent resolution directing the Legislative Council to study the operation of the temporary assistance for needy families program in North Dakota as it relates to the relationship between the state and the federally recognized Indian tribes in the state.

The question being on the final adoption of the amended resolution, which has been read.

Engrossed SCR 4036 was declared adopted on a voice vote and the title was agreed to.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4007:** A concurrent resolution to create and enact a new section to article IV of the Constitution of North Dakota, relating to the vote required to enact an income, sales, use, or motor vehicle excise tax increase by the legislative assembly.

**ROLL CALL**

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

**YEAS:** Bowman; Christmann; Cook; Freborg; Kilzer; Kinnoin; Klein; Mutch; Naaden; Schobinger; Solberg; Stenehjem, B.; Wanzek

**NAYS:** Andrist; Bercier; DeMers; Fischer; Flakoll; Grindberg; Heitkamp; Kelsh; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutzenberger; Nelson, G.; Nething; O'Connell; Robinson; Sand; St. Aubyn; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wardner; Watne

**ABSENT AND NOT VOTING:** Holmberg; Nelson, C.; Redlin

SCR 4007 was declared lost.

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**THE SENATE RECOGNIZED THE PRESENCE OF:**

Former Senator Jim Yockim.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4011:** A concurrent resolution for the amendment of section 3 of article IX of the Constitution of North Dakota, relating to the deposit of public moneys with the state treasurer by the board of university and school lands; and to provide an effective date.

**ROLL CALL**

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 45 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Holmberg; Nelson, C.; Nothing; Redlin

SCR 4011 was declared lost.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4016:** A concurrent resolution for the amendment of subsection 2 of section 6 of article VIII of the Constitution of North Dakota, relating to the membership of the state board of higher education.

**ROLL CALL**

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS, 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; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, G.; Nothing; O'Connell; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Holmberg; Nelson, C.; Redlin

SCR 4016 was declared adopted and the title was agreed to.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4017:** A concurrent resolution for the amendment of section 5 of article V of the Constitution of North Dakota, relating to the election of executive branch officers.

**ROLL CALL**

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS, 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; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, G.; Nothing; O'Connell; Robinson; Sand; Schobinger; Solberg;

St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Holmberg; Nelson, C.; Redlin

SCR 4017 was declared adopted and the title was agreed to.

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#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4023:** A concurrent resolution for the amendment of section 11 of article IV of the Constitution of North Dakota, relating to the filling of vacancies in the legislative assembly.

#### **ROLL CALL**

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 36 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Kilzer; Kinnoin; Klein; Krebsbach; Kringstad; Kroeplin; Lee; Lyson; Mathern, D.; Mutzenberger; Naaden; Nelson, G.; Nething; O'Connell; Robinson; Sand; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Traynor; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Heitkamp; Kelsh; Krauter; Lindaas; Mathern, T.; Mutch; Schobinger; Thompson; Tomac

**ABSENT AND NOT VOTING:** Holmberg; Nelson, C.; Redlin; Tallackson

SCR 4023 was declared adopted and the title was agreed to.

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#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4015:** A concurrent resolution directing the Legislative Council to study the adult correctional system in North Dakota, including its functions, responsibilities, funding, and operation, and the causes of past and projected future increases in the state's adult inmate population, including the impact of sentencing laws.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4015 was declared adopted on a voice vote and the title was agreed to.

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#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4018:** A concurrent resolution urging Congress to address concentration and consolidation in the meat and grain industries so farmers and ranchers can compete fairly and profitably.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4018 was declared adopted on a voice vote and the title was agreed to.

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#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4019:** A concurrent resolution directing the Legislative Council to study the placement of motor vehicle license, registration, title, and excise tax collection services in the treasurer's office of each county in this state.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4019 was declared adopted on a voice vote and the title was agreed to.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4021:** A concurrent resolution urging Congress to renegotiate the North American Free Trade Agreement and address tariff equalization, increased market access, sanitary and phytosanitary disputes, and methods to facilitate and shorten dispute resolution procedures.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4021 was declared adopted on a voice vote and the title was agreed to.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4024:** A concurrent resolution designating Sakakawea to be honored and memorialized with a statue in the National Statuary Hall in the United States Capitol in Washington, D.C.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed SCR 4024 was declared adopted on a voice vote and the title was agreed to.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4025:** A concurrent resolution urging Congress to analyze the operating environment of the Farm Service Agency and ensure that attempts at efficiency recognize customer needs and expectations.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed SCR 4025 was declared adopted on a voice vote and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. NOTHING MOVED** that the Senate do concur in the House amendments to SB 2065 as printed on SJ page 357, which motion prevailed on a voice vote.

SB 2065, as amended, was placed on the Eleventh order of business on the calendar.

**SECOND READING OF SENATE BILL**

**SB 2065:** A BILL for an Act to provide for the issuance and sale of self-liquidating, tax-exempt bonds for renovating and expanding the student union at Dickinson state university; to provide an appropriation; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, 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; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, G.; Nething; O'Connell; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjerm, B.; Stenehjerm, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Holmberg; Nelson, C.; Redlin

Engrossed SB 2065 passed, the title was agreed to, and the emergency clause was declared carried.

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2065.

**MOTION**

**SEN. ST. AUBYN MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**SEN. ST. AUBYN 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 1:00 p.m., Thursday, February 25, 1999, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SCR 4037: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4037 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4038: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SCR 4038 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4039: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4039 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4042: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4042 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4044: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4044 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4051: Judiciary Committee (Sen. W. Stenehjerm, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4051 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1076: Judiciary Committee (Sen. W. Stenehjerm, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1076 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1081, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1081 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1090: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1090 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1094: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1094 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1096: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1096 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1100, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1100 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1103: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1103 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1145: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1145 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1164, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1164 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1202, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1202 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1342: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1342 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1375: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1375 was placed on the Fourteenth order on the calendar.

**FIRST READING OF HOUSE BILLS**

**HB 1002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.  
Was read the first time and referred to the **Appropriations Committee**.

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; and to declare an emergency.  
Was read the first time and referred to the **Appropriations Committee**.

**HB 1004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health.  
Was read the first time and referred to the **Appropriations Committee**.

**HB 1007:** A BILL for an Act to provide an appropriation for defraying the expenses of the veterans' home and department of veterans' affairs.  
Was read the first time and referred to the **Appropriations Committee**.

**HB 1009:** A BILL for an Act to provide an appropriation for defraying expenses of the state fair association.  
Was read the first time and referred to the **Appropriations Committee**.

**HB 1011:** A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to create and enact two new sections to chapter 39-03 of the North Dakota Century Code, relating to the highway patrol operating fund and law enforcement training academy fees.  
Was read the first time and referred to the **Appropriations Committee**.

**HB 1012:** A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the department of transportation.  
Was read the first time and referred to the **Appropriations Committee**.

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the state industrial commission; to provide a continuing appropriation; to authorize transfers; and to declare an emergency.  
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 department of corrections and rehabilitation; and to amend and reenact subsection 2 of section 12.1-32-07 of the North Dakota Century Code, relating to the supervision of probationers.

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

**HB 1017:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

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

**HB 1020:** A BILL for an Act to provide an appropriation for defraying the expenses of the state board for vocational and technical education.

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

**HB 1021:** A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, and the experiment centers; to provide for dairy diagnostic teams; to provide statements of legislative intent; and to amend and reenact sections 4-05.1-02, 4-05.1-04, 4-05.1-16, 4-05.1-17, 4-05.1-18, 4-05.1-19, 4-05.1-21, and 4-08-10 of the North Dakota Century Code, relating to the state board of agricultural research.

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

**HB 1022:** A BILL for an Act to provide an appropriation for capital projects of various state departments and institutions; to authorize the industrial commission to issue and sell bonds for capital projects; to provide an appropriation; and to declare an emergency.

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

**HB 1024:** A BILL for an Act to create and enact section 28-32-03.4 of the North Dakota Century Code, relating to authority of the administrative rules committee to call up existing administrative rules for review; to amend and reenact subsection 1 of section 4-18.1-20, subsections 4 and 7 of section 28-32-02, subsection 1 of section 28-32-03.3, and section 28-32-04 of the North Dakota Century Code, relating to statutory references to administrative rulemaking provisions, administrative rulemaking procedures, authority of the administrative rules committee to void or object to administrative rules, and petitions for reconsideration of administrative rules; and to provide an effective date.

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

**HB 1034:** A BILL for an Act to create and enact title 15.1 of the North Dakota Century Code, relating to elementary and secondary education; to repeal chapter 15-21, sections 15-21.1-01, 15-21.1-02, 15-21.1-03, 15-21.1-04, 15-21.1-05, 15-21.1-06, 15-21.1-07, 15-21.1-09, chapters 15-21.2, 15-22, 15-27.1, 15-27.2, 15-27.3, 15-27.4, 15-27.5, 15-27.6, 15-27.7, 15-28, sections 15-29-01, 15-29-01.1, 15-29-02, 15-29-03, 15-29-03.1, 15-29-04, 15-29-05, 15-29-06, 15-29-07, 15-29-08, 15-29-08.4, 15-29-09, 15-29-10, 15-29-11, 15-29-13, 15-29-14, 15-34.2-12, 15-34.2-13, 15-34.2-14, 15-34.2-17, 15-34.2-18, 15-35-01.2, 15-35-09, 15-35-11, 15-35-12, 15-35-14, 15-38-04.1, 15-38-06, 15-38-13, 15-38-13.1, 15-38-13.2, 15-41-01, 15-41-02, 15-41-03, 15-41-04, 15-41-05, 15-41-07, 15-41-08, 15-41-27, chapter 15-41.1, sections 15-43-11.1, 15-43-11.2, 15-43-11.3, 15-43-11.4, 15-44-06, 15-44-09, 15-44-10, 15-44-11, chapter 15-46, sections 15-47-01, 15-47-01.1, 15-47-02.1, 15-47-04, 15-47-05, 15-47-06, 15-47-07, 15-47-08, 15-47-09, 15-47-10, 15-47-11, 15-47-12, 15-47-13, 15-47-14, 15-47-15, 15-47-16, 15-47-21, 15-47-22, 15-47-24, 15-47-25, 15-47-29, 15-47-30, 15-47-30.1, 15-47-31, 15-47-32, 15-47-33, 15-47-33.1, 15-47-36, 15-47-37, 15-47-39, 15-47-40, 15-47-40.1, 15-47-41, 15-47-43, 15-47-44.1, 15-47-44.2, 15-47-47, 15-47-48, 15-47-49, 15-47-50, 15-47-51, chapters 15-48, 15-49, 15-51, 15-64, and 15-65 of the North Dakota Century Code, relating to elementary and secondary education provisions addressed in the creation of North Dakota Century Code title 15.1; to provide penalties; and to provide a continuing appropriation.

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

**HB 1035:** A BILL for an Act to create and enact a new section to chapter 15-38.1 of the North Dakota Century Code, relating to teacher negotiations; and to amend and reenact section 11-10-10.5, subsection 1 of section 12.1-05-05, sections 15-20.2-04, 15-36-12, 15-41-25, 15-47-42, subsection 1 of section 15-47-46, section 15-59.2-02, subsection 5 of section 40-01.1-04, subsection 1 of section 54-07-01.2, and subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to cross references to statutes in the education title.

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

**HB 1043:** A BILL for an Act to create and enact chapter 14-02.5 of the North Dakota Century Code, relating to discriminatory housing practices; to amend and reenact section

14-02.4-19 of the North Dakota Century Code, relating to actions for discrimination; to repeal sections 14-02.4-12 and 14-02.4-13, relating to unfair housing; to provide a penalty; to provide an appropriation; and to provide a continuing appropriation.

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

**HB 1089:** A BILL for an Act to amend and reenact section 52-02-18 and subsection 3 of section 52-03-07 of the North Dakota Century Code, relating to an audit of job service North Dakota and the administration of unemployment compensation programs; to provide for an audit of job service North Dakota; to provide an appropriation; and to provide an expiration date.

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

**HB 1091:** A BILL for an Act to amend and reenact subsection 1 of section 52-06-04 of the North Dakota Century Code, relating to determination of weekly benefit amount for unemployment compensation purposes.

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

**HB 1093:** A BILL for an Act authorizing the state of North Dakota acting through job service North Dakota to sell or transfer certain property.

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

**HB 1108:** A BILL for an Act to create and enact five new sections to chapter 57-34 of the North Dakota Century Code, relating to the audit and assessment of telecommunications carriers, deficiency notice, protest and appeal procedure, claim for credit or refund of the tax on telecommunications carriers, preservation of records, and resale certificates; to amend and reenact sections 57-34-01, 57-34-02, 57-34-03, 57-34-06, and 57-34-10 of the North Dakota Century Code, relating to definitions, identification of taxable resellers and pay telephone operators, elimination of tentative assessments, allocation of revenue, filing extensions, tax liabilities of less than five dollars, and interest and lien provisions; to provide for retroactive application; to provide an effective date; and to provide an expiration date.

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

**HB 1135:** A BILL for an Act to amend and reenact sections 52-04-05, 52-04-06, and 52-04-09 of the North Dakota Century Code, relating to the required level of the unemployment compensation trust fund reserve and employer contribution rates.

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

**HB 1158:** A BILL for an Act to create and enact a new section to chapter 43-17 of the North Dakota Century Code, relating to exceptions to the licensure requirements to practice medicine; and to amend and reenact sections 43-17-01, 43-17-02, 43-17-06, 43-17-30.1, and 43-17-31 of the North Dakota Century Code, relating to the definitions of practice of medicine and telemedicine, persons exempt from medical practice licensure requirements, officers of the board of medical examiners, and disciplinary action of the board.

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

**HB 1165:** A BILL for an Act to amend and reenact section 15-10-12 of the North Dakota Century Code, relating to deposit with the state treasurer of funds received by board of higher education institutions.

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

**HB 1183:** A BILL for an Act to create and enact a new section to chapter 57-43.1 and a new section to chapter 57-43.2 of the North Dakota Century Code, relating to additional motor vehicle fuel taxes and special fuel taxes; to amend and reenact sections 39-04-19, 57-43.1-02, and 57-43.2-02 of the North Dakota Century Code, relating to motor vehicle registration fees, motor vehicle fuel taxes, and special fuel taxes; to provide an effective date; and to provide an expiration date.

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

**HB 1185:** A BILL for an Act to create and enact chapter 23-36 of the North Dakota Century Code, relating to rabies control; to repeal sections 23-01-18 and 23-01-19 of the North Dakota Century Code, relating to rabies control; to provide a penalty; and to declare an emergency.

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

**HB 1252:** A BILL for an Act to create and enact a new section to chapter 4-35 of the North Dakota Century Code, relating to the sale and use of agricultural chemicals registered in Canada; and to declare an emergency.

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

**HB 1290:** A BILL for an Act to create and enact a new chapter to title 36 of the North Dakota Century Code, relating to a state meat inspection program; to provide a penalty; and to provide an appropriation.

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

**HB 1291:** A BILL for an Act to create and enact sections 39-06-04.1, 39-06-04.2, 39-06-04.3, 39-06-04.4, 39-06-04.5, and 39-06-04.6 of the North Dakota Century Code, relating to a graduated motor vehicle driver licensing program for minors; to amend and reenact sections 39-06-03, 39-06-04, 39-06-05, 39-06-07, 39-06-08, subsection 1 of section 39-06-14, and section 39-06-17 of the North Dakota Century Code, relating to a graduated motor vehicle driver licensing program for minors; and to provide an effective date.

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

**HB 1294:** A BILL for an Act to amend and reenact subsection 8 of section 43-29-01.1 of the North Dakota Century Code, relating to the practice of veterinary medicine.

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

**HB 1335:** A BILL for an Act to create and enact a new section to chapter 4-35 of the North Dakota Century Code, relating to the presence of chemicals in agricultural products and livestock; and to provide a penalty.

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

**HB 1341:** 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 1344:** A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to commemorative Lewis and Clark number plates; and to provide an expiration date.

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

**HB 1380:** A BILL for an Act to amend and reenact sections 39-04.2-03 and 39-04.2-04 of the North Dakota Century Code, relating to the public transportation fund.

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

**HB 1383:** A BILL for an Act to provide for establishment and operation of the housing development fund and to provide a financial institutions tax credit for participation in the fund; to amend and reenact sections 57-35.3-09 and 57-35.3-10 of the North Dakota Century Code, relating to allocation of financial institutions' tax revenues; to provide a penalty; and to provide an effective date.

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

**HB 1389:** A BILL for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to release of motor vehicle operator records; to provide for retroactive application; and to declare an emergency.

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

**HB 1403:** A BILL for an Act to create and enact a new subsection to section 43-12.1-04 of the North Dakota Century Code, relating to persons exempt from nurse licensure.

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

**HB 1404:** A BILL for an Act to create and enact a new subdivision to subsection 13 of section 2 of chapter 299 of the 1991 Session Laws as amended by section 1 of chapter 286 of the 1993 Session Laws and a new subsection to section 27 of chapter 299 of the 1991 Session Laws, relating to the definition of tank and third-party judgments under the petroleum release compensation fund; to amend and reenact sections 17, 19, and 33 of chapter 299 of the 1991 Session Laws, relating to the petroleum release compensation fund; to repeal section 29 of chapter 299 of the 1991 Session Laws, relating to petroleum spill reports; and to declare an emergency.

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

**HB 1417:** A BILL for an Act to amend and reenact sections 61-16.1-51, 61-16.1-53, 61-21-43.1, 61-21-67, and 61-32-07 of the North Dakota Century Code, relating to the time within which obstructions to drains, noncomplying dikes or dams, and noncomplying drains must be removed or closed.

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

**HB 1423:** A BILL for an Act to amend and reenact subsection 1 of section 4-09-10 of the North Dakota Century Code, relating to canola seed standards.

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

**HB 1434:** A BILL for an Act to amend and reenact 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.

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

**HB 1443:** A BILL for an Act to create and enact four new sections to chapter 52-08 of the North Dakota Century Code, relating to work force training; to amend and reenact subsection 6 of section 15-10-01 and subsection 13 of section 15-10-17 of the North Dakota Century Code, relating to name changes of institutions of higher education; and to repeal section 15-11-02.1 of the North Dakota Century Code, relating to supervision of the college at Devils Lake.

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

**HB 1475:** A BILL for an Act to provide for allocation of funds from settlements with tobacco product manufacturers; and to declare an emergency.

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

**HB 1476:** A BILL for an Act to amend and reenact section 6-09.13-03 of the North Dakota Century Code, relating to agricultural loans; and to provide an appropriation.

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

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 3009:** A concurrent resolution urging Congress to carefully review the planned merger between Cargill, Incorporated, and Continental Grain Company and take any action appropriate to minimize potentially adverse effects on farmers, ranchers, and consumers that could result from such increased concentration in the agricultural sector.

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

**HCR 3014:** A concurrent resolution directing the Legislative Council to study the disparity in prices and the inconsistency in the registration of agricultural pesticides.

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

**HCR 3017:** A concurrent resolution for the amendment of section 13 of article I of the Constitution of North Dakota, relating to the right to a jury trial.

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

**HCR 3019:** A concurrent resolution directing the Legislative Council to study the composition of the Oilseed Council and the impact, at the state and federal level, of any changes in membership of the council.

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

**HCR 3029:** A concurrent resolution urging Congress to aggressively pursue legislation that will permit substantially similar crop protection products registered in Canada to be purchased and used by farmers in the United States; to direct the administrator of the Environmental Protection Agency to work toward the harmonization of crop protection product legislation, and in the event substantial progress is not made, to disallow the importation of any commodity into this country if the commodity contains any crop protection product not approved for use in this country; and to require that the manufacturers of crop protection products publicly justify any price discrepancies between similar products sold in Canada and in the United States.

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

**HCR 3030:** A concurrent resolution urging Congress to ensure the availability of as many crop protection products as possible, to use actual scientific data to determine the safety of crop protection products, to accept scientific data generated by the North Dakota State University Main Research Center and by the research extension centers regarding the safety of crop protection products, to establish uniform policies governing the implementation of the 1996 Food Quality Protection Act, and to ensure that implementation of the 1996 Food Quality Protection Act does not negatively impact agricultural production nor the availability and affordability of food.

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

**HCR 3031:** A concurrent resolution urging Congress to encourage the formation of new legislative or administrative initiatives to extend insurance options, similar to crop insurance options, to livestock producers.

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

**HCR 3033:** A concurrent resolution urging Congress to raise the cap on marketing loans available to farmers and to adopt a cost of production index adjustment mechanism.

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

**HCR 3035:** A concurrent resolution urging the Environmental Protection Agency and the Congress of the United States to increase resources for and efforts of the U.S.-Canada Technical Working Group to harmonize pesticide regulations between the two countries, to commit more resources and efforts toward establishing tolerances for pesticides registered for use in Canada but not in the United States, and to accept registration data currently accepted by Canadian officials in support of Canadian pesticide registrations.

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

**HCR 3037:** A concurrent resolution urging Congress to review the North American Free Trade Agreement and the General Agreement on Tariffs and Trade and amend those portions of the agreements that treat North Dakota agricultural producers inequitably or repeal the agreements in their entirety.

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

**HCR 3038:** A concurrent resolution urging Congress to acknowledge the difference between the marijuana plant and the agricultural crop known as industrial hemp; to acknowledge that allowing and encouraging farmers to produce industrial hemp will improve the balance of trade by promoting domestic sources of industrial hemp; and to assist United States producers by clearly authorizing the commercial production of industrial hemp and by being the leading advocate for the industrial hemp industry.

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

**HCR 3040:** A concurrent resolution urging Congress to make the federal income tax fairer, simpler, flatter, lower, and subject to fewer exceptions and special interest provisions.

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

**HCR 3043:** A concurrent resolution directing the Legislative Council to study the Uniform Rights of the Terminally Ill Act, the durable power of attorney for health care laws for this state, and the durable power of attorney for health care laws of other states and the feasibility of creating one comprehensive advanced directive law addressing all aspects of health care advance planning.

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

**HCR 3045:** A concurrent resolution directing the Legislative Council to study grain credit-sale contracts to determine the need to provide protection for farmers against grain warehouse and grain buyer insolvency.

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

**HCR 3049:** A concurrent resolution directing the Legislative Council to study taxation and regulatory incentives for the lignite industry in order to improve its competitive position in the energy marketplace and to identify federal and international impediments to development of the lignite industry and potential state actions to address such impediments.

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

**HCR 3051:** A concurrent resolution directing the Legislative Council to study the role and mission of the Milk Marketing Board.

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

**HCR 3053:** A concurrent resolution directing the Legislative Council to study the feasibility and impact of mental health and substance abuse parity in the state of North Dakota.

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

**HCR 3054:** A concurrent resolution directing the Legislative Council to study accreditation standards for elementary and secondary schools, including optional accreditation standards, the fiscal impact of accreditation standards, and the waiver of accreditation standards based on student performance.

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

The Senate stood adjourned pursuant to Senator St. Aubyn's motion.

**WILLIAM C. PARKER, Secretary**