

JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

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Bismarck, January 17, 2001

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

The prayer was offered by Reverend Irvin Bruenjes, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Watne, Chairman)** has carefully examined the Journal of the Sixth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 77, line 40, replace "SB 2030" with "SB 2130"

Page 77, line 43, replace "SB 2031" with "SB 2131"

Page 82, line 49, replace the first "Kelsh" with "Wardner"

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

CONSIDERATION OF AMENDMENTS

SB 2059: SEN. CHRISTMANN (Finance and Taxation Committee) MOVED that the amendments on SJ page 79 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2062: SEN. STENEHJEM (Finance and Taxation Committee) MOVED that the amendments on SJ page 79 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2093: SEN. T. MATHERN (Human Services Committee) MOVED that the amendments on SJ page 80 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2118: SEN. DEVER (Judiciary Committee) MOVED that the amendments on SJ page 80 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that a committee of two be appointed to escort Kari Haberstroh, Miss North Dakota, to the rostrum, which motion prevailed.

THE PRESIDENT APPOINTED Sens. Wanzek and Heitkamp to the escort committee.

REMARKS OF CARRIE HABERSTROH, MISS NORTH DAKOTA

Thank you Mr. President and members of the Senate. I would also like to thank Senator Heitkamp for inviting me here today. It is truly an honor to speak to you and it has been an incredible honor to represent the great state of North Dakota. I have enjoyed the opportunity to return to North Dakota and to travel throughout, speaking to many schools and community organizations.

I speak about Alzheimer's disease and also about my experiences growing up, in a speech entitled "A Will and A Way." As a girl I was overweight, quiet, and very introverted, but I managed to turn that around. I became very active in different organizations and athletics. I worked hard to achieve my five-year goal of winning the state discus title. My activities and achievements opened the door to Harvard and other Ivy League schools--opportunities I had

never dreamed of. So I encourage kids to reach for their dreams and avoid putting limits on what they can achieve.

I have really enjoyed my education at Harvard. I have learned a lot. But the person I am, my ideals, morals, and my work ethic are still very much a product of this state.

I am also an accurate representative being half German, a quarter Swedish, and a quarter Norwegian. I had the wonderful opportunity to visit Norway as an Ambassador this summer on a two-month exchange program there. It was really an incredible learning experience. So traveling abroad and meeting students from all over the world has really helped me to realize how fortunate I am to have grown up in this state. I am really impressed with students around the state as well. During my speeches, I ask the kids--what would you like to be when you grow up? I get this wide range of answers--from microbiologists, paleontologists, farmers, and meat cutters. I said, "A butcher?" "No, a meat cutter." I remember one preschool boy last week said he wanted to be a power ranger. The kid next to him slugged him and said there are no power rangers in North Dakota. There aren't any power rangers in North Dakota, but this state is full of many heroes--in the school systems, in our communities, and there are many right here in this room.

I have realized one really unique aspect of this state is the North Dakota networking, and how no matter where I travel people know people from my hometown that are relatives. I even experienced this at the Miss America Pageant in Atlantic City, New Jersey. I was in the Boardwalk Parade and I was wearing a costume that was supposed to represent my state. So I wore a white fake fur jacket and white fur-topped boots and there was a giant thermometer on the side reading about 40 below. All along this six-mile parade route it was crowded with people, and every so often I would hear a person yell--"Fargo" or "Bismarck" or "Minot." I would look and wave at them and there was this gleam in their eyes like--I know someone there, I've been there. I thought to myself later, I bet Miss Florida doesn't ride this parade and hear "Miami" and turn and wave, but that is something really special about this state. Being a contestant at the Miss America Pageant was really memorable and an exciting experience.

I have also enjoyed the opportunity to speak about Alzheimer's disease, my national platform issue. My grandmother has had this disease for about 12 years now, and she is in the very late stages. When I was a little girl, Mom told me that Grandma has a disease where she forgets things. I could understand when she forgot where her jacket was or wherever she was going the next day, but it was really hard for me to understand why she didn't recognize me and she didn't know my name. So I try to explain this to kids and try to help them understand it better. This summer I went to Washington, D.C., and spoke with a head advocate for Alzheimer's disease. He told me about the latest advancements and also about a rural initiative program. This is currently in Minnesota and several rural states, they are hoping to bring it here. It is about bringing information and resources to people in rural areas, and this is especially helpful. Seventy percent of all people with Alzheimer's disease are cared for in the home, and so bringing information and conference calls and technologies like this to those people is really helpful, to help them to understand the disease and how they can take care of these people. It is sad to think of how hard my grandparents worked to provide for their children and themselves. Now their life savings is vanishing at \$6,000 a month to cover my grandmother's nursing home care. This isn't a small problem, currently there are 4 million people in the nation who have Alzheimer's disease, this is projected to be 14 million in a matter of decades. We are very hopeful that a vaccine will be achieved within about 10 years. That really depends, how soon or how late we get it, on the funding and support provided. So I just ask you to keep the victims of Alzheimer's disease and their families in your hearts when you deal with bills related to this issue.

I appreciate your time. This has truly been a great honor, and as the Norwegians would say "tusen takk," a thousand thanks.

MOTION

SEN. CHRISTMANN MOVED that the remarks of Miss North Dakota be printed in the Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2142: A BILL for an Act to amend and reenact subsections 10 and 11 of section 10-19.1-01, subsection 6 of section 10-19.1-10, subsection 2 of section 10-19.1-19, subsections 1 and 3 of section 10-19.1-31, subsection 2 of section 10-19.1-51, subsection 4 of section 10-19.1-61.1, subsection 3 of section 10-19.1-64, subsections 1 and 2 of section 10-19.1-83, subsections 1 and 3 of section 10-19.1-87, subsection 7 of section 10-19.1-91, subsections 1 and 3 of section 10-19.1-98, section 10-19.1-100, subsection 2 of section 10-31-13, subsection 8 of section 10-31-13.1, subsections 9, 15, and 29 of section 10-32-02, subsection 2 of section 10-32-07, subsection 1 of section 10-32-23, subsection 4 of section 10-32-30, subsection 7 of section 10-32-32,

subsection 2 of section 10-32-35, subsection 2 of section 10-32-42, subsection 1 of section 10-32-43, sections 10-32-44 and 10-32-50, subsection 1 of section 10-32-54, subsection 1 of section 10-32-59, section 10-32-62, subsection 1 of section 10-32-68, subsection 1 of section 10-32-69, section 10-32-70, subsection 1 of section 10-32-76, subsection 3 of section 10-32-78, subsection 4 of section 10-32-80, section 10-32-82, subsection 5 of section 10-32-86, subsection 2 of section 10-32-87, subsection 1 of section 10-32-89, subsection 7 of section 10-32-99, subsections 1, 2, and 3 of section 10-32-102, sections 10-32-104 and 10-32-109, subsections 2 and 3 of section 10-32-119, subsection 1 of section 10-32-131, and subdivision t of subsection 1 of section 10-32-150 of the North Dakota Century Code, relating to business corporations, professional corporations, and limited liability companies.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espesgard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2142 passed and the title was agreed to.

MOTION

SEN. G. NELSON MOVED that SB 2151 be moved to the bottom of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2064: A BILL for an Act to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to the disclosure of information by the state tax commissioner.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espesgard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2064 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2066: A BILL for an Act to amend and reenact section 2 of chapter 188 of the 1987 Session Laws, relating to reversion of property not used as a fairgrounds in Stark County.

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 32 YEAS, 17 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christenson; Christmann; Espesgard; Every; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krauter; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Tallackson; Thane; Tollefson; Tomac; Wanzek; Watne

NAYS: Bowman; Cook; Dever; Erbele; Fischer; Klein; Krebsbach; Kringstad; Lee; Mutch; Nething; Solberg; Stenehjerm; Traynor; Trenbeath; Urlacher; Wardner

SB 2066 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2072: A BILL for an Act to amend and reenact subsection 9 of section 52-09-20 of the North Dakota Century Code, relating to primary insurance benefits under the old-age and survivor insurance system.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2072 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2091: A BILL for an Act to amend and reenact subsection 2 of section 51-19-04 and subdivisions f and g of subsection 2 of section 51-19-13 of the North Dakota Century Code, relating to franchise registration exemptions and the powers of the securities commissioner regarding the issuance of orders.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2091 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2092: A BILL for an Act to create and enact section 50-11-09.1 of the North Dakota Century Code, relating to district court injunctions to stop or prevent a violation of foster care home laws or rules.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2092 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2096: A BILL for an Act to create and enact a new subsection to section 50-11-06.8 of the North Dakota Century Code, relating to when fingerprints and a criminal history record investigation are required of an adult family foster care provider; and to amend and reenact subsection 2 of section 50-11-02, section 50-11-02.4, subsection 5 of section 50-11-06.8, and section 50-11-06.9 of the North Dakota Century Code, relating to when fingerprints are not required of a foster care provider, when a law enforcement agency is to take fingerprints of persons providing foster care services, and when a criminal history record investigation is not required of foster care providers.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2096 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2137: A BILL for an Act to provide an appropriation and authorization for the construction of a student housing apartment building and for the renovation of Robinson hall on the campus of North Dakota state university; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2137 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2151: A BILL for an Act to amend and reenact section 54-27-21 of the North Dakota Century Code, relating to the minimum value for reporting fixed assets; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2151 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. G. NELSON MOVED that SB 2056 be returned to the Senate floor from the **Agriculture Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. G. NELSON REQUESTED the unanimous consent of the Senate to withdraw SB 2056. There being no objection, it was so ordered by the President.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2065, SB 2147, SB 2164.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4007.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1083.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1076, HB 1077, HB 1078, HB 1167, HB 1169, HB 1180, HB 1185.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, January 18, 2001, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2052: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2052 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 15-40.1-09 and subsection 1 of section 15.1-06-04 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-35 of the North Dakota Century Code, relating to professional development days.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. If House Bill No. 1045 does not become effective, section 15-40.1-09 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-40.1-09. Application for payments - Verification and determination of payments for high school students - Report of county superintendent of schools - Appeal. Immediately upon the completion of the registration of students at the beginning of each school term and in no event later than September tenth of each year, the business manager of each school district within or without this state which is claiming payments from state funds under the provisions of this chapter shall file with the county superintendent of schools a claim on a form prescribed by the superintendent of public instruction stating the number of students registered in high school and elementary grades for which payments are claimed, and such other information as may be reasonably requested by the superintendent of public instruction. Not later than December first, the superintendent of public instruction shall certify to the office of management and budget a list of the school districts and schools not operated by school districts entitled to payments from state funds, together with the amounts to which the several districts and schools are entitled. Per student aid as provided under sections 15-40.1-06, 15-40.1-07, and 15-40.1-08 must be computed on the basis of the previous year's average daily membership less the number of students attending school during the current school year in another district under the provisions of open enrollment or the current year's fall enrollment, whichever provides the greatest payment, for all current grade levels. Adjustments must be made in the subsequent year according to a comparison between the average daily membership for the year for which the adjusted payment is being made and the year preceding the year for which the adjusted payment is being made, whichever is greater, for grade levels that existed

in both years. The greater of the two preceding years' average daily membership must be used in computing any adjustment in a district's foundation aid payments. For purposes of this chapter, "average daily membership" means the total days all students in a given school are in attendance, including ~~two~~ five days ~~set aside for the North Dakota education association instructional conference, three holidays listed in subsections 2 through 10 of section 15.1-38-04.1~~ which have been selected by the school board in consultation with the teachers for holidays, continuing education activities, and school activities, and up to two full days during which parent-teacher conferences are held, divided by one hundred eighty days. School districts educating children of agricultural migratory workers or offering high school summer school programs during the months of June, July, and August shall not be restricted to payments for a one hundred eighty-day school term.

Immediately upon the termination of the school year, and in no event later than July fifteenth of each year, the business manager of each school district within or without this state which has received payments from state funds under the provisions of this chapter shall file with the county superintendent of schools a verified statement of the name, residence, and membership of elementary and high school students as provided for in this section, and number of units of high school work taken by each high school student enrolled during the previous school year. The statement shall be attested to by the county superintendent of schools. The county superintendent shall investigate the validity of the statement and shall determine the residence and other qualifications of each student named in the statement. The county superintendent shall certify to the superintendent of public instruction on or before September first of each year the number of enrolled students in each district in the county for the previous school year upon which any adjustment may be based as provided in this section. If any statement is disallowed in whole or in part, notice of the disallowance and the names of students who are disallowed shall be reported to the superintendent of public instruction and to the district filing the statement. Any district may appeal to the superintendent of public instruction from the determination of the county superintendent of schools on or before September fifteenth in the year in which the determination is made. The superintendent of public instruction may change or modify the determination of the county superintendent if the evidence submitted by the district warrants a modification. The judgment of the superintendent of public instruction shall be final.

SECTION 2. AMENDMENT. Subsection 1 of section 15.1-06-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. During each school year, a school district shall provide for a school calendar of at least one hundred eighty days, apportioned as follows:
 - a. One hundred seventy-three full days of instruction;
 - b. ~~Three holidays listed in subdivisions b through j of subsection 1 of section 15.1-06-02 and~~ Five days selected by the school board in consultation with district teachers;
 - c. ~~Two days for the attendance of teachers at the North Dakota education association instructional conference~~ for holidays, continuing education activities, and school activities; and
 - d. ~~c.~~ Up to two full days during which parent-teacher conferences are held or which are deemed by the school board to be compensatory time for parent-teacher conferences held outside regular school hours.

SECTION 3. AMENDMENT. Section 15.1-27-35 of the North Dakota Century Code as created by House Bill No. 1045, as approved by the fifty-seventh legislative assembly, is amended and reenacted as follows:

15.1-27-35. Average daily membership - Calculation. Average daily membership is calculated by adding the total number of days that each student in a given classroom, school, or school district is in attendance during a school calendar and the total number of days that each student in a given classroom, school, or school district is absent during a school calendar, and then dividing the sum by one hundred eighty. For purposes of calculating average daily membership, all students are deemed to be in attendance on:

1. The ~~three holidays listed in subdivisions b through j of subsection 1 of section 15.1-06-02 and~~ five days selected by the school board in

consultation with district teachers for holidays, continuing education activities, and school activities; and

2. ~~The two days set aside for the attendance of teachers at the North Dakota education association instructional conference; and~~
3. The two full days, or portions thereof, during which parent-teacher conferences are held or which are deemed by the board of the district to be compensatory time for parent-teacher conferences held outside regular school hours."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2060: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2060 was placed on the Sixth order on the calendar.

Page 1, line 3, after the first semicolon insert "and" and replace "; and to" with a period

Page 1, remove line 4

Page 5, remove lines 7 and 8

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2075: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2075 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2076: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2076 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2090: 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 2090 was placed on the Sixth order on the calendar.

Page 3, line 17, after the first underscored comma insert "to an agent of a bank or a commercial trust department."

Page 17, line 12, replace "1" with "2"

Page 21, line 30, replace "6" with "8"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2108: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2108 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2116: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2116 was placed on the Sixth order on the calendar.

Page 2, line 2, remove the overstrike over "a fee of not less than"

Page 2, line 3, remove the overstrike over "twenty five dollars" and remove "the same disposition as subsection 4 for those provisions"

Page 2, line 5, remove "A judge may also require a person found to have violated subsection 2 to"

Page 2, remove line 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2123: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2123 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2134: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2134 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2135: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2135 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2141: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2141 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2157: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2157 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2179: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2179 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

Sens. Solberg, Bowman, Tallackson and Reps. Eckre, Froseth, Nelson introduced:

SB 2241: A BILL for an Act to amend and reenact section 43-12.1-02 of the North Dakota Century Code, relating to educational requirements for nurses.

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

Sens. Polovitz, Christenson, T. Mathern and Reps. Ekstrom, Jensen, S. Kelsh introduced:

SB 2242: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax exemption for individuals under thirty years of age; and to provide an effective date.

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

Sens. Thane, Lee, T. Mathern and Reps. Gulleason, Koppang introduced:

SB 2243: A BILL for an Act to create and enact chapter 43-51 of the North Dakota Century Code, relating to licensing of marriage and family therapists; and to provide a penalty.

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

Sen. Krauter and Reps. Froelich, Kerzman introduced:

SB 2244: A BILL for an Act to amend and reenact section 11-10-04 of the North Dakota Century Code, relating to the residence of candidates for election to a county office.

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

Sens. Cook, Lee, Tomac and Reps. S. Kelsh, Renner introduced:

SB 2245: A BILL for an Act to amend and reenact section 40-38-11 of the North Dakota Century Code, relating to joint public library services.

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

Sens. Lee, Watne and Reps. Carlson, Rennerfeldt introduced:

SB 2246: A BILL for an Act to create and enact a new section to chapter 26.1-33 of the North Dakota Century Code, relating to the duties of a trustee of a life insurance trust; and to provide for retroactive application.

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

Sens. Lee, Watne and Reps. Carlson, Rennerfeldt introduced:

SB 2247: A BILL for an Act to create and enact a new subsection to section 26.1-26-09 of the North Dakota Century Code, relating to an exemption from insurance licensing requirements for nonresident insurance agents.

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

Sens. Lee, Watne and Reps. Carlson, Rennerfeldt introduced:

SB 2248: A BILL for an Act to amend and reenact section 47-02-27.1 of the North Dakota Century Code, relating to contingent property interests in personal property.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Thane, Heitkamp and Reps. Eckre, Koppang introduced:

SCR 4010: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing classifications for roads and unproductive land for property tax purposes.

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

Sens. Cook, Christenson, Lee and Reps. Boehm, Porter introduced:

SCR 4011: A concurrent resolution directing the Legislative Council to study the library system in North Dakota to determine the most efficient and effective methods for delivery of library services.

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

FIRST READING OF HOUSE BILLS

HB 1076: A BILL for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code, relating to disclosure of identifying information to the board of university and school lands; and to amend and reenact section 57-39.2-23 of the North Dakota Century Code, relating to disclosure of identifying information to the board of university and school lands.

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

HB 1077: A BILL for an Act to amend and reenact section 57-38-34 and subsection 8 of section 57-38-38 of the North Dakota Century Code, relating to the filing date of exempt organization income tax returns regarding unrelated business taxable income and tax assessment extension agreements; and to provide an effective date.

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

HB 1078: A BILL for an Act to amend and reenact subsections 1 and 3 of section 57-38-62 of the North Dakota Century Code, relating to estimated income tax payment requirements; and to provide an effective date.

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

HB 1083: A BILL for an Act to amend and reenact subsection 1 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for purposes of determining unemployment compensation benefits; to provide an effective date; and to declare an emergency.

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

HB 1167: A BILL for an Act to amend and reenact section 24-02-42 of the North Dakota Century Code, relating to the amount of department of transportation educational financial aid and to expand eligible areas of study.

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

HB 1169: A BILL for an Act to amend and reenact section 54-27-22 of the North Dakota Century Code, relating to the revolving fund for prepayment of planning and consulting fees for capital improvements.

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

HB 1180: A BILL for an Act to amend and reenact section 37-10-03.2 of the North Dakota Century Code, relating to the authority of the adjutant general to lease or vacate property.

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

HB 1185: A BILL for an Act to amend and reenact section 39-01-16, subdivision b of subsection 2 of section 39-04-18, subdivision a of subsection 1 of section 39-05-05, and subsection 1 of section 39-05-09.2 of the North Dakota Century Code, relating to motor vehicle registration and titling.

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

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

WILLIAM R. HORTON, Secretary

