

## JOURNAL OF THE SENATE

## Fifty-eighth Legislative Assembly

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Bismarck, January 30, 2003

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

The prayer was offered by Pastor Dom Vetter, Word of Faith Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

**REPORT OF DELAYED BILLS COMMITTEE**

**MR. PRESIDENT:** Your **Delayed Bills Committee (Sen. Cook, Chairman)** has approved the introduction of a bill for an Act to require the superintendent of public instruction to provide information on the No Child Left Behind Act; and to declare an emergency.

The bill will be SB 2414.

**REPORT OF DELAYED BILLS COMMITTEE**

**MR. PRESIDENT:** Your **Delayed Bills Committee (Sen. Cook, Chairman)** has approved the introduction of a bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the dispensing of alcoholic beverages on certain days.

The bill will be SB 2415.

**REPORT OF DELAYED BILLS COMMITTEE**

**MR. PRESIDENT:** Your **Delayed Bills Committee (Sen. Cook, Chairman)** has approved the introduction of a bill for an Act to provide an appropriation for capital projects of the state historical society of North Dakota; to authorize the industrial commission to issue and sell bonds for capital projects; to provide a statement of legislative intent; and to declare an emergency.

The bill will be SB 2416.

**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2302, which is on the Eleventh order, be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2302 was rereferred.

**MOTION**

**SEN. CHRISTMANN MOVED** that the rules be suspended and after action taken on the Sixth order, all bills on that order be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2042: SEN. COOK (Education Committee) MOVED** that the amendments on SJ page 179 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2042:** A BILL for an Act to amend and reenact section 49-21-01.1 of the North Dakota Century Code, relating to exceptions from the definition of telecommunications service.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

Engrossed SB 2042 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2103: SEN. BERCIER (Judiciary Committee) MOVED** that the amendments on SJ page 179 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2103:** A BILL for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to fees for services provided by the state fire marshal; and to provide a continuing appropriation.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

Engrossed SB 2103 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2148: SEN. LYSON (Judiciary Committee) MOVED** that the amendments on SJ page 180 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2148:** A BILL for an Act to create and enact a new subsection to section 53-06.1-12.3 of the North Dakota Century Code, relating to installment payments on delinquent taxes or penalties; and to amend and reenact section 53-06.1-01, subsections 2, 3, and 4 of section 53-06.1-01.1, section 53-06.1-03, subsections 1, 4, and 5 of section 53-06.1-06, sections 53-06.1-07.2 and 53-06.1-10, subsections 1 and 2 of section 53-06.1-11.1, subsections 3 and 5 of section 53-06.1-12, subsections 1, 2, 3, 4, and 6 of section 53-06.1-14, subsections 4, 8, 9, 10, and 11 of section 53-06.1-15.1, and subsection 1 of section 53-06.1-16 of the North Dakota Century Code, relating to games of chance.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

Engrossed SB 2148 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2172: SEN. SYVERSON (Finance and Taxation Committee) MOVED** that the amendments on SJ page 180 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2172:** A BILL for an Act to amend and reenact subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax deduction under the simplified method of computing tax for military retirement pay and military active duty or national guard pay; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 13 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Christenson; Dever; Espeguard; Every; Fairfield; Heitkamp; Krauter; Lee, G.; Lyson; O'Connell; Thane; Trenbeath

**NAYS:** Andrist; Bowman; Brown; Christmann; Cook; Erbele; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, J.; Lindaas; Mathern; Mutch; Nelson; Nething; Nichols; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Tollefson; Traynor; Urlacher; Wardner

Engrossed SB 2172 lost.

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**CONSIDERATION OF AMENDMENTS**

**SB 2173: SEN. WARDNER (Finance and Taxation Committee) MOVED** that the amendments on SJ page 180 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2173:** A BILL for an Act to amend and reenact sections 11-11.1-03 and 11-11.1-04 of the North Dakota Century Code, relating to tourism promotion by a job development authority or industrial development organization; and to provide an effective date.

**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, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espeguard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

**NAYS:** O'Connell

Engrossed SB 2173 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SB 2210: SEN. TRAYNOR (Judiciary Committee) MOVED** that the amendments on SJ pages 180-181 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2210:** A BILL for an Act to amend and reenact section 26.1-36-08 of the North Dakota Century Code, relating to group health policy and health service contract substance abuse coverage; and to provide for application.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espeguard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

Engrossed SB 2210 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SB 2211: SEN. LYSON (Judiciary Committee) MOVED** that the amendments on SJ page 181 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2211:** A BILL for an Act to amend and reenact section 12.1-32-02.1 of the North Dakota Century Code, relating to mandatory prison terms for armed offenders; to provide a penalty; 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 34 YEAS, 13 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mutch; Nelson; Nething; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Tollefson; Traynor; Urlacher; Wardner

**NAYS:** Bercier; Espgaard; Every; Fairfield; Heitkamp; Krauter; Mathern; Nichols; O'Connell; Polovitz; Taylor; Thane; Trenbeath

Engrossed SB 2211 passed, the title was agreed to, and the emergency clause was declared carried.

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**CONSIDERATION OF AMENDMENTS**

**SB 2217: SEN. ERBELE (Human Services Committee) MOVED** that the amendments on SJ page 181 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2217:** A BILL for an Act to create and enact a new section to chapter 43-20 of the North Dakota Century Code, relating to the administration of anesthesia by dental hygienists under dental supervision.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

**NAYS:** Bowman; Heitkamp

Engrossed SB 2217 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2171:** A BILL for an Act to amend and reenact subdivision d of subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to lodging reimbursement for state officers and employees.

**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 41 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Brown; Christenson; Christmann; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Seymour; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

**NAYS:** Andrist; Bowman; Cook; Mutch; Schobinger; Stenehjem

Engrossed SB 2171 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2235:** A BILL for an Act to create and enact a new subsection to section 26.1-34-02 of the North Dakota Century Code, relating to minimum nonforfeiture amounts of annuity contracts.

### 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

Engrossed SB 2235 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2128:** A BILL for an Act to amend and reenact sections 13-03.1-05, 13-04.1-04, 13-05-04, subsection 1 of section 51-17-07, and section 51-17-10 of the North Dakota Century Code, relating to consumer finance, money broker, collection agency, and sale of check license fees.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

SB 2128 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2185:** A BILL for an Act to repeal sections 44-01-08, 44-01-09, and 44-01-10 of the North Dakota Century Code, relating to bonds of public officers other than those furnished by the state bonding fund.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

SB 2185 passed and the title was agreed to.

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**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 2078, SB 2093, SB 2107, SB 2118, SB 2245, SB 2274, SCR 4006.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2064, SB 2073.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1061, HB 1082, HB 1102, HB 1139, HB 1150, HB 1167, HB 1186, HB 1262, HB 1299, HB 1319.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1169.

**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 12:30 p.m., Thursday, January 30, 2003, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2115: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2115 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "confidentiality of"

Page 1, line 3, replace "federal energy regulatory commission" with "market monitor of the midwest independent system operator, incorporated"

Page 1, line 13, replace "federal energy regulatory" with "market monitor of the midwest independent system operator, incorporated,"

Page 1, remove line 14

Page 1, line 15, remove "energy regulatory commission" and remove "the provisions of"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2253: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2253 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2301: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2301 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2303: 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 2303 was placed on the Sixth order on the calendar.

Page 3, after line 4, insert:

"(3) "Net income" means taxable income as computed for income tax purposes pursuant to chapter 57-38 adjusted:

(a) To include the difference between gross sales price less expenses of sale and the amount reported for sales of agricultural products for which the farmer reported a capital gain.

(b) To include interest expenses from farming activities which have been deducted in computing taxable income.

- (c) To include depreciation expenses from farming activities which have been deducted in computing taxable income.
- (d) To exclude unreimbursed travel and living expenses necessary to earn nonfarm income and which were not deducted in computing taxable income.

Page 3, line 5, overstrike "(3)" and insert immediately thereafter "(4)", remove the overstrike over "~~from farming activities~~", and remove the overstrike over "~~from these~~"

Page 3, line 6, remove the overstrike over "activities"

Page 3, line 7, remove the overstrike over "to include the following"

Page 3, line 8, remove the overstrike over "The" and remove "To include the"

Page 3, line 11, remove the overstrike over "Interest" and remove "To include interest"

Page 3, line 13, remove the overstrike over "~~Depreciation~~" and remove "To include depreciation"

Page 3, remove lines 16 through 18

Page 3, line 19, overstrike "(4)" and insert immediately thereafter "(5)"

Page 3, line 26, overstrike "(5)" and insert immediately thereafter "(6)"

Page 4, line 3, overstrike "(6)" and insert immediately thereafter "(7)"

Page 4, line 5, overstrike "(7)" and insert immediately thereafter "(8)"

Renumber accordingly

#### FIRST READING OF SENATE BILLS

Sen. Freborg introduced:

(Approved by the Delayed Bills Committee)

**SB 2414:** A BILL for an Act to require the superintendent of public instruction to provide information on the No Child Left Behind Act; and to declare an emergency.

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

Sen. Kringstad and Reps. Meier, Wrangham introduced:

(Approved by the Delayed Bills Committee)

**SB 2415:** A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the dispensing of alcoholic beverages on certain days.

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

Sens. Thane, Lindaas introduced:

(Approved by the Delayed Bills Committee)

**SB 2416:** A BILL for an Act to provide an appropriation for capital projects of the state historical society of North Dakota; to authorize the industrial commission to issue and sell bonds for capital projects; to provide a statement of legislative intent; and to declare an emergency.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Klein, Andrist, Flakoll, O'Connell and Reps. Pollert, Severson introduced:

**SCR 4018:** A concurrent resolution urging all publicly supported entities having food acquisition functions to support North Dakota producers and processors through the purchase of food products grown or produced and processed in this state.

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

Sens. Kringstad, Dever, Tallackson and Reps. Delzer, Norland introduced:

**SCR 4019:** A concurrent resolution directing the Legislative Council to study actions that can be taken at the state level to address the problem of inaccurate or obsolete information on consumer reports.

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

Sens. Dever, Krebsbach, G. Lee and Reps. Dosch, M. Klein, Meier introduced:

**SCR 4020:** A concurrent resolution encouraging state agencies to provide college internships.  
Was read the first time and referred to the **Education Committee**.

Sen. Mathern and Rep. Price introduced:

**SCR 4021:** A concurrent resolution directing the Legislative Council to study changing the mission of the State Hospital from one of caring for individuals with mental illness and individuals with drug and alcohol addictions and develop legislation to change the role to a mission of caring for and housing inmates with mental illness and drug and alcohol addictions and conducting offender assessments, transferring the authority for the State Hospital facilities from the Department of Human Services to the Department of Corrections and Rehabilitation, and requiring the Department of Human Services to contract with mental health care providers and up to four regional hospitals to provide for the care of individuals with mental illness and drug and alcohol addictions.

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

Sen. Nichols and Rep. Onstad introduced:

**SCR 4022:** A concurrent resolution directing the Legislative Council to study proposed legislation permitting the Game and Fish Department to coordinate with game and fish programs conducted by the tribal governments of the federally recognized Indian tribes in North Dakota.

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

Sens. Stenehjem, Holmberg, J. Lee and Reps. Berg, Devlin, Price introduced:

**SCR 4023:** A concurrent resolution urging the Congress to enact a Medicare prescription drug benefit.

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

Sens. Fairfield, Nething and Reps. Hanson, Headland, Kroeber, Pollert introduced:

**SCR 4024:** A concurrent resolution celebrating the World Series victory of Darin Erstad as a member of the California Angels baseball team.

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

Sens. Bercier, Mathern and Reps. Boucher, Svedjan, Tieman introduced:

**SCR 4025:** A concurrent resolution urging Congress to promote development of North Dakota's wind energy resource by appropriating funds to provide a two and one-half cents per kilowatt hour wind energy production tax credit.

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

Sens. Bercier, Mathern and Reps. Boucher, Svedjan, Tieman introduced:

**SCR 4026:** A concurrent resolution urging the President and Congress to provide sufficient funding for implementation of the No Child Left Behind Act of 2001.

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

Sens. Bercier, O'Connell, Taylor and Rep. Boucher introduced:

**SCR 4027:** A concurrent resolution directing the Legislative Council to study whether the use of Bank of North Dakota and State Mill and Elevator profits and the use of moneys in trust funds for general fund purposes is jeopardizing the future economic viability of the Bank of North Dakota and the State Mill and Elevator and reducing the amount of funds available for the dedicated purposes of the trust funds.

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

Sens. Robinson, Holmberg, Lindaas and Reps. Boucher, Kerzman, Weisz introduced:

**SCR 4028:** A concurrent resolution urging Congress to increase Medicare reimbursement rates for rural health care providers and to use an appropriate amount of the federal budget to equalize Medicare rates within North Dakota and the nation.

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

Sens. Robinson, Bercier and Reps. Boucher, Drovdal, Onstad introduced:

**SCR 4029:** A concurrent resolution directing the Legislative Council to study issues relating to the Indian population of the state, including sovereignty, educational opportunities, population dispersment, unemployment, health concerns, suicide rates, living conditions, and impact on the caseloads of the Department of Human Services and the Department of Corrections and Rehabilitation.

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

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