

JOURNAL OF THE SENATE

Fifty-ninth Legislative Assembly

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Bismarck, January 24, 2005

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

The prayer was offered by Pastor Randy Upgren, Charity Lutheran Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that SB 2061, which is on the Sixth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2061 was rereferred.

MOTION

SEN. CHRISTMANN MOVED that SB 2202, which is on the Eleventh order, be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2202 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2129: SEN. J. LEE (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 143 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2151: SEN. SYVERSON (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 143 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2162: A BILL for an Act to amend and reenact section 32-09.1-04 of the North Dakota Century Code, relating to notice of renewal of garnishment of earnings.

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; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Engrossed SB 2162 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2172: A BILL for an Act to create and enact a new subdivision to subsection 18 of section 52-01-01 of the North Dakota Century Code, relating to exempting service in Americorps as covered employment for unemployment insurance purposes; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer;

Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

ABSENT AND NOT VOTING: Lee, J.

Engrossed SB 2172 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2183: A BILL for an Act to amend and reenact section 40-50.1-03 of the North Dakota Century Code, relating to certification of townsite or subdivision plats.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lee, J.

Engrossed SB 2183 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2191: A BILL for an Act to create and enact sections 51-07-02.1, 51-07-02.2, and 51-07-02.3 of the North Dakota Century Code, relating to contractual relationships between automobile and truck wholesalers and retailers; to amend and reenact section 51-07-01.1 of the North Dakota Century Code, relating to the termination of a contractual relationship between automobile and truck wholesalers and retailers; and to provide for application.

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; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Engrossed SB 2191 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 1:45 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Dalrymple presiding.

SECOND READING OF SENATE BILL

SB 2199: A BILL for an Act to amend and reenact section 28-01-46 of the North Dakota Century Code, relating to expert opinion required in certain civil cases.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Tallackson

Engrossed SB 2199 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2216: A BILL for an Act to create and enact section 49-21-10.3 of the North Dakota Century Code, relating to complaints against telecommunications companies; to amend and reenact sections 49-02-01.1, 49-21-01, 49-21-01.1, 49-21-01.3, 49-21-01.7, 49-21-02.2, and 49-21-10.2 of the North Dakota Century Code, relating to telecommunications regulation; and to repeal sections 49-21-04.1, 49-21-08, 49-21-14, 49-21-15, 49-21-17, 49-21-18, 49-21-20, and 49-21-24 of the North Dakota Century Code, relating to telecommunications regulation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nething; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

NAYS: Every; Fairfield; Nelson; O'Connell

Engrossed SB 2216 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2128: A BILL for an Act to amend and reenact section 37-15-10 of the North Dakota Century Code, relating to admission requirements for veterans at the veterans' home.

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; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2128 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2142: A BILL for an Act to amend and reenact sections 11-15-07, 11-15-08, 11-15-09, and 23-15-04 of the North Dakota Century Code, relating to fees and commissions collected by sheriffs.

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

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

NAYS: Mutch; O'Connell; Stenehjem

SB 2142 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2153: A BILL for an Act to amend and reenact section 54-52.1-03.1 of the North Dakota Century Code, relating to participation by political subdivision employees in the uniform group insurance program.

ROLL CALL

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

YEAS: O'Connell; Wardner

NAYS: Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Warner

SB 2153 lost.

SECOND READING OF SENATE BILL

SB 2173: A BILL for an Act to amend and reenact section 11-33-05 of the North Dakota Century Code, relating to compensation of county planning commission members.

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 27 YEAS, 20 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Brown; Cook; Dever; Every; Fairfield; Fischer; Grindberg; Holmberg; Kilzer; Krebsbach; Lindaas; Mathern; Nelson; Nething; O'Connell; Robinson; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

NAYS: Andrist; Bercier; Bowman; Christmann; Erbele; Espegard; Flakoll; Freborg; Hacker; Heitkamp; Klein; Krauter; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Schobinger; Thane; Tollefson

SB 2173 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2184: A BILL for an Act to create and enact two new sections to chapter 35-03 of the North Dakota Century Code, relating to the satisfaction of a mortgage; and to provide for an application.

ROLL CALL

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

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

SB 2184 lost.

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 2093, SB 2201, SB 2210.

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 1076, HB 1092, HB 1100, HB 1112, HB 1116, HB 1262, HB 1348.

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., Tuesday, January 25, 2005, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2041: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2041 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subsection to section 20.1-01-02 and a new section to chapter 20.1-03 of the North Dakota Century Code, relating to hunting on Indian land; and to"

Page 1, line 2, remove "trust"

Page 1, after line 3, insert :

"SECTION 1. A new subsection to section 20.1-01-02 of the North Dakota Century Code is created and enacted as follows:

"Indian land" means land within the exterior boundaries of an Indian reservation held in trust by the federal government for the benefit of an Indian tribe or an Indian and land within the exterior boundaries of an Indian reservation owned in fee by an Indian tribe or an Indian.

SECTION 2. A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

General game license not required for hunting on Indian land. An individual hunting on Indian land pursuant to a tribal hunting license is not required to possess a state license to hunt on such land."

Page 1, line 9, remove "trust"

Page 1, line 20, remove "trust"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2100: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2100 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2190: 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 2190 was placed on the Sixth order on the calendar.

Page 1, line 2, after "annuities" insert "; and to provide for retroactive application"

Page 2, line 4, remove the overstrike over "by" and after "services" insert "a standard actuarial life expectancy table"

Page 2, after line 12, insert:

"SECTION 2. RETROACTIVE APPLICATION OF ACT. This Act applies retroactively to purchases occurring after July 31, 2003."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2195: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2195 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2220: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2220 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 1 of section 20.1-03-07 and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 20.1-03-07 of the North Dakota Century Code is amended and reenacted as follows:

1. Hunt, catch, take, or kill any small game without a nonresident small game license. The nonresident small game license entitles the nonresident to hunt small game for any period of ten consecutive days or any two periods of five consecutive days each. The hunting period for which the license is valid must be designated on the license. A nonresident small game license is not required to hunt waterfowl and cranes under section 20.1-03-07.1. A nonresident may purchase more than one nonresident small game license per year."

Renumber accordingly

FIRST READING OF SENATE BILLS

Sens. G. Lee, Christmann, Kringstad and Reps. Drovdal, Grande, Thoreson introduced:

SB 2358: A BILL for an Act to amend and reenact sections 15.1-06-02, 15.1-06-04, and 15.1-27-35 of the North Dakota Century Code, relating to professional development days; and to repeal section 15.1-09-42 of the North Dakota Century Code, relating to conference attendance by school personnel.

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

Sens. Cook, Urlacher and Reps. Drovdal, Weiler introduced:

SB 2359: A BILL for an Act to amend and reenact subsection 2 of section 57-39.2-11, subsection 1 of section 57-39.2-12.1, and subsection 1 of section 57-40.2-07.1 of the North Dakota Century Code, relating to compensation of a certified service provider under streamlined sales tax collection agreements.

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

Sen. Holmberg introduced:

SB 2360: A BILL for an Act to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to child abuse and neglect records and information; and to amend and reenact section 50-25.1-10 of the North Dakota Century Code, relating to privileged communications.

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

Sens. Dever, Erbele, Mathern and Reps. L. Meier, Sandvig, Sitte introduced:

SB 2361: A BILL for an Act to create and enact a new section to chapter 14-03 of the North Dakota Century Code, relating to premarital counseling; and to amend and reenact section 14-03-22 of the North Dakota Century Code, relating to marriage license fees.

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

Sens. Dever, Cook, Wardner and Reps. Carlisle, L. Meier, Thoreson introduced:

SB 2362: A BILL for an Act to amend and reenact subdivision u of subsection 1 of section 57-38-01.2 and subdivision g of subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax deduction for income of national guard and reserve volunteers for federal active duty; and to provide an effective date.

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

Sens. Hacker, Bercier, Grindberg and Reps. Charging, DeKrey, Delmore introduced:

SB 2363: A BILL for an Act to amend and reenact subsection 1 of section 12.1-28-01 of the North Dakota Century Code, relating to the definition of gambling.

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

Sens. Flakoll, Freborg, Holmberg and Reps. Hawken, D. Johnson, R. Kelsch introduced:

SB 2364: A BILL for an Act to provide an appropriation for special education payments; and to repeal sections 15.1-27-10 and 15.1-27-32 of the North Dakota Century Code, relating to special education payments.

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

Sens. Every, Grindberg, Krebsbach, Mathern and Rep. Monson introduced:

SB 2365: A BILL for an Act to provide an appropriation to the department of commerce for the purpose of providing state matching funds for wind-to-hydrogen demonstration projects.

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

Sens. G. Lee, J. Lee, Nething and Reps. Martinson, Price introduced:

SB 2366: A BILL for an Act to create and enact chapter 43-26.1 of the North Dakota Century Code, relating to the practice of physical therapy; to amend and reenact subsection 1 of section 10-31-04 of the North Dakota Century Code, relating to statutory cross-reference; to repeal chapter 43-26 of the North Dakota Century Code, relating to the practice of physical therapy; and to provide a penalty.

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

Sens. Krauter, Andrist, Lyson, Wardner and Reps. Gulleeson, Nelson introduced:

SB 2367: A BILL for an Act to amend and reenact subsection 1 of section 20.1-03-07 of the North Dakota Century Code, relating to nonresident small game hunting licenses.

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

Sens. Robinson, Wardner and Reps. N. Johnson, Metcalf, Mueller introduced:

SB 2368: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to nonprofit organization number plates.

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

Sens. Heitkamp, Lyson, Tollefson and Reps. Amerman, Nelson, Wall introduced:

SB 2369: A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to nonresident fishing license fees; and to amend and reenact section 20.1-03-10 of the North Dakota Century Code, relating to nonresident fishing licenses.

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

Sens. Tallackson, Thane, Trenbeath and Reps. Klemin, Kretschmar, Solberg introduced:

SB 2370: A BILL for an Act to amend and reenact subsection 6 of section 11-10-10 of the North Dakota Century Code, relating to the salary of state's attorneys.

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

Sens. Andrist, Flakoll, Klein, G. Lee introduced:

SB 2371: A BILL for an Act to amend and reenact subsection 24 of section 19-18-02 of the North Dakota Century Code, relating to minimum-risk pesticides.

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

Sens. Lindaas, Andrist and Reps. Aarsvold, Price introduced:

SB 2372: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to establishment of a responsible choice commission and a comprehensive program to address impaired driving, alcohol and drug abuse, and other destructive behavior; to amend and reenact sections 5-03-07 and 5-03-08 of the North Dakota Century Code, relating to the tax on beer at wholesale and allocation of tax revenues; to provide a continuing appropriation; and to provide an effective date.

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

Sens. Robinson, Brown, Lyson and Reps. DeKrey, Kroeber, Nottestad introduced:

SB 2373: A BILL for an Act to provide for the commitment of individuals addicted to controlled substances; and to provide a penalty.

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

Sens. Grindberg, Syverson and Rep. Keiser introduced:

SB 2374: A BILL for an Act to provide for an unemployment compensation shared work demonstration project; to provide for a legislative council study; and to provide an appropriation.

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

Sens. Brown, Flakoll and Reps. Carlson, Grande introduced:

SB 2375: A BILL for an Act to create and enact a new section to chapter 15.1-13 of the North Dakota Century Code, relating to special education teachers.

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

Sens. Lindaas, Fischer and Reps. D. Johnson, Nelson introduced:

SB 2376: A BILL for an Act to amend and reenact subsection 3 of section 20.1-03-11 of the North Dakota Century Code, relating to the acreage requirement for gratis and the fee for preferential landowner licenses to hunt deer.

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

Sens. Mutch, Tollefson and Reps. Carlson, Kasper, R. Kelsch, Wald introduced:

SB 2377: A BILL for an Act to create and enact two new sections to chapter 49-03 of the North Dakota Century Code, relating to electric service area agreements and factors to be considered in granting or denying certificates of public convenience and necessity to electric public utilities; to amend and reenact sections 49-02-01.1, 49-03-01, 49-03-01.3, 49-03-01.4, 49-03-01.5, and 49-03-05 of the North Dakota Century Code, relating to the jurisdiction of the public service commission, certificates of public convenience and necessity, extensions of service by electric service providers, exclusions from limitations on electric lines and service, enforcement, definitions, and complaints regarding electric providers; and to provide an effective date.

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

Sens. Dever, Lyson, Syverson and Reps. Dosch, L. Meier, Weiler introduced:

SB 2378: A BILL for an Act to amend and reenact section 32-09.1-09 of the North Dakota Century Code, relating to the garnishment disclosure form.

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

Sens. Nething, Christmann, Cook and Reps. Monson, Wald introduced:

SB 2379: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to separation of bundled telecommunications services to identify services exempt from sales and use taxes; and to provide an effective date.

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

Sens. Espgaard, Thane and Reps. Herbel, Horter introduced:

SB 2380: A BILL for an Act to amend and reenact section 39-21-41.4 of the North Dakota Century Code, relating to the use of safety belts; and to repeal section 39-21-41.5 of the North Dakota Century Code, relating to secondary enforcement of safety belt violations.

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

Sen. Fairfield introduced:

SB 2381: A BILL for an Act to amend and reenact subsection 3 of section 65-05-08 and section 65-05-33 of the North Dakota Century Code, relating to false claims or statements made to workers' compensation; and to provide a penalty.

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

Sen. Espgaard and Rep. Kasper introduced:

SB 2382: A BILL for an Act to amend and reenact section 43-11-23 and paragraph 3 of subdivision b of subsection 1 of section 43-11-28 of the North Dakota Century Code, relating to examinations for cosmetology licensure.

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

Sens. Fischer, Dever, J. Lee and Reps. Delmore, D. Johnson, Weisz introduced:

SB 2383: A BILL for an Act to create and enact a new subsection to section 50-25.1-02 of the North Dakota Century Code, relating to the definition of children's advocacy center; to amend and reenact section 50-25.1-05 and subsection 3 of section 50-25.1-11 of the North Dakota Century Code, relating to the role of children's advocacy centers in the investigation of child abuse and neglect; and to provide an appropriation.

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

Sens. Fischer, Trenbeath, Wardner and Reps. D. Johnson, Weisz introduced:

SB 2384: A BILL for an Act to amend and reenact subsection 3 of section 53-06.1-06 of the North Dakota Century Code, relating to games of chance accounting records.

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

Sens. Nelson, Fairfield introduced:

SB 2385: A BILL for an Act to require the posting and publishing of notices regarding permit applications for confined animal feeding operations.

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

Sens. Triplett, Mathern introduced:

SB 2386: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to denial of an application for an accident and health insurance policy.

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

Sens. Tollefson, Mutch, Schobinger and Reps. Bellew, Keiser, Ruby introduced:

SB 2387: A BILL for an Act to amend and reenact subsection 3 of section 49-01-01 and sections 49-02-01, 49-02-01.1, 49-03-01, 49-03-01.3, 49-03-01.4, 49-03-01.5, 49-03-02, 49-03-05, and 49-20-12.1 of the North Dakota Century Code, relating to jurisdiction of the public service commission over electric cooperatives.

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

Sens. G. Lee, Brown, Kilzer and Rep. Porter introduced:

SB 2388: A BILL for an Act to create and enact a new subsection to section 43-42-05 of the North Dakota Century Code, relating to reciprocity for the practice of respiratory therapy in emergency situations.

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

Sens. Wardner, Mutch, Warner and Reps. Froseth, Kasper, S. Meyer introduced:

SB 2389: A BILL for an Act to create and enact four new sections to chapter 51-10 of the North Dakota Century Code, relating to unfair trade practices in the marketing and selling of motor fuel; and to amend and reenact subsection 1 of section 51-10-01 of the North Dakota Century Code, relating to unfair trade practices.

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

Sens. Heitkamp, Mathern and Rep. Gulleason introduced:

SB 2390: A BILL for an Act to create and enact a chapter to 40-64 of the North Dakota Century Code, relating to city development impact fees.

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

Sens. Syverson, Brown, Espeland, Grindberg, Nelson and Rep. Iverson introduced:

SB 2391: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for individuals, estates, and trusts for planned gifts to qualified North Dakota nonprofit organizations; and to provide an effective date.

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

Sens. Syverson, Thane, Tollefson and Reps. Boehning, Maragos, Wieland introduced:

SB 2392: A BILL for an Act to amend and reenact section 57-40.5-02 of the North Dakota Century Code, relating to the aircraft excise tax rate for vintage aircraft for display at a museum or airshow; and to provide an effective date.

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

Sens. Cook, Stenehjem, Urlacher introduced:

SB 2393: A BILL for an Act to amend and reenact section 57-40.2-02.1 of the North Dakota Century Code, relating to use tax exemptions; to repeal subsections 12, 34, and 45 of section 57-39.2-04, sections 57-39.2-04.2, 57-39.2-04.3, 57-39.2-04.4, 57-39.2-28, 57-40.2-04.2, and chapter 57-39.5 of the North Dakota Century Code, relating to sales and use tax exemptions and rate reductions for residents of other states, steam used to process agricultural products, farm machinery, power plant construction and production equipment, manufacturing or recycling machinery and equipment, primary sector business computer and telecommunications equipment, construction materials for agricultural commodity processing facilities, and farm machinery and equipment and refunds of sales taxes for Canadian residents; to provide for a legislative council study; and to provide an effective date.

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

Sens. Brown, Fischer, J. Lee and Reps. Devlin, Price introduced:

SB 2394: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to creation of a medical assistance program for medication therapy management services.

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

Sens. J. Lee, Cook and Reps. R. Kelsch, Wrangham introduced:

SB 2395: A BILL for an Act to create and enact a new section to chapter 50-10 of the North Dakota Century Code, relating to a department of human services treatment program for children with Russell Silver syndrome; and to amend and reenact subsection 12 of section 50-10-06 of the North Dakota Century Code, relating to income eligibility for Russell Silver syndrome treatment services.

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

Sen. Bercier introduced:

SB 2396: A BILL for an Act to create and enact a new section to chapter 26.1-40 and two new sections to chapter 51-07 of the North Dakota Century Code, relating to prohibitions on improper practices by insurance companies, price fixing, and certain automobile repair practices; and to provide a penalty.

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

Sen. O'Connell and Rep. Koppelman introduced:

SB 2397: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to annual financial reports of cities.

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

Sen. O'Connell and Reps. Hunsakor, Price introduced:

SB 2398: A BILL for an Act to create and enact a new section to chapter 43-12.1 of the North Dakota Century Code, relating to the scope of practice of medical assistants; and to amend and reenact subsection 9 of section 43-12.1-02 of the North Dakota Century Code, relating to the professional regulation of medical assistants as a class of unlicensed assistive persons.

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

Sen. O'Connell introduced:

SB 2399: A BILL for an Act to amend and reenact sections 40-19-03, 57-02-14, and 57-02-34 of the North Dakota Century Code, relating to assessment of exempt property in certain cities; and to provide an effective date.

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

Sens. O'Connell, Fairfield, Heitkamp, Mathern and Reps. Glassheim, S. Meyer introduced:

SB 2400: A BILL for an Act to provide for compensation adjustments for certain state government employees.

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

Sens. O'Connell, Lyson, Syverson and Reps. Galvin, Glassheim, Onstad introduced:

SB 2401: A BILL for an Act to amend and reenact section 19-03.1-23.1 of the North Dakota Century Code, relating to increased penalties for possessing a firearm during a controlled substance offense; and to provide a penalty.

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

Sen. O'Connell introduced:

SB 2402: A BILL for an Act to amend and reenact section 12.1-23-05 of the North Dakota Century Code, relating to the theft of firearms; and to provide a penalty.

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

Sens. O'Connell, Nething, Robinson and Reps. Nicholas, Solberg introduced:

SB 2403: A BILL for an Act to amend and reenact section 4-10.4-04 of the North Dakota Century Code, relating to barley districts.

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

Sens. O'Connell, Robinson and Reps. Haas, Metcalf, Sitte, Wieland introduced:

SB 2404: A BILL for an Act to direct a study of education funding by the legislative council.

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

Sens. O'Connell, Nething, Wardner and Reps. Brandenburg, Pollert introduced:

SB 2405: A BILL for an Act to amend and reenact subsection 3 of section 49-16-01.1 of the North Dakota Century Code, relating to insurance requirements in leases between railroads and grain and potato warehouses.

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

Sen. O'Connell and Reps. Ruby, Schmidt, Weisz introduced:

SB 2406: A BILL for an Act to require appearance of a railroad executive at criminal and civil proceedings; and to provide a penalty.

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

Sens. O'Connell, Freborg and Reps. Galvin, Hunsakor, L. Meier introduced:

SB 2407: A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to school district approval for exemption of school district property taxes by a city or county; and to provide an effective date.

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

Sens. O'Connell, Robinson introduced:

SB 2408: A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to hunting staked or caged wildlife.

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

Sen. Krauter and Rep. Koppelman introduced:

SB 2409: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to the establishment of an alternatives-to-abortion services program; to provide for reports to the legislative council; to provide an appropriation; and to provide an expiration date.

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

Sen. J. Lee introduced:

SB 2410: A BILL for an Act to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to medical assistance and children's health insurance program eligibility determinations.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Every, Fairfield, Lyson, Nelson introduced:

SCR 4016: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting a statewide procedure for conducting missing persons investigations.

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

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

William R. Horton, Secretary

