

## JOURNAL OF THE SENATE

## Fifty-ninth Legislative Assembly

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Bismarck, January 12, 2005

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

The prayer was offered by Pastor Stephan Wisthoff, First Baptist Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

Sens. Stenehjem, Grindberg, O'Connell and Reps. Berg, Boucher, Klein introduced:

**SCR 4007:** A concurrent resolution paying tribute to North Dakota military personnel who have died in Iraq.

Was read the first time.

**MOTION**

**SEN. CHRISTMANN MOVED** that the rules be suspended, that SCR 4007 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and be placed on the calendar for immediate second reading and final passage, which motion prevailed.

Sens. Stenehjem, Grindberg, O'Connell and Reps. Berg, Boucher, Klein introduced:

**SENATE CONCURRENT RESOLUTION NO. 4007**

A concurrent resolution paying tribute to North Dakota military personnel who have died in Iraq.

**WHEREAS**, Spc. Jon P. Fettig, Dickinson; Staff Sgt. Kenneth W. Hendrickson, Bismarck; Sgt. Keith L. Smette, Makoti; Spc. Philip D. Brown, Jamestown; Staff Sgt. Lance J. Koenig, Fargo; Spc. Cody L. Wentz, Williston; Pfc. Anthony W. Monroe, Bismarck; Spc. Thomas J. Sweet II, Bismarck; and Pfc. Sheldon R. Hawk Eagle, Grand Forks, were called upon by the United States of America to fight the forces of terror that threaten free men; and

**WHEREAS**, these brave, courageous, and valorous soldiers in performing their duty made that supreme sacrifice that great men and women have been called upon down through our country's history to make for the right to be free; and

**WHEREAS**, it is the intention of the Fifty-ninth Legislative Assembly, acting as the representatives of all the people of the state of North Dakota, to recognize these individuals;

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That the Fifty-ninth Legislative Assembly of the state of North Dakota hereby pays solemn tribute to:

Spc. Jon P. Fettig, Dickinson;  
Staff Sgt. Kenneth W. Hendrickson, Bismarck;  
Sgt. Keith L. Smette, Makoti;  
Spc. Philip D. Brown, Jamestown;  
Staff Sgt. Lance J. Koenig, Fargo;  
Spc. Cody L. Wentz, Williston;  
Pfc. Anthony W. Monroe, Bismarck;  
Spc. Thomas J. Sweet II, Bismarck; and  
Pfc. Sheldon R. Hawk Eagle, Grand Forks;

for their sacrifice for helping to keep the United States of America and other countries of this world free from the forces of terror that would kill the innocent and threaten the free; and

**BE IT FURTHER RESOLVED**, that the people of the state of North Dakota hereby join together to express deepest sympathies to the parents and relatives of these brave soldiers and to express to them the furtherant belief that these men did not die in vain; and

**BE IT FURTHER RESOLVED**, that the Secretary of State send enrolled copies of this resolution to the parents and wives of these heroes.

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

**SCR 4007:** A concurrent resolution paying tribute to North Dakota military personnel who have died in Iraq.

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

SCR 4007 was declared adopted on a voice vote.

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#### **MOTION**

**SEN. CHRISTMANN MOVED** that the rules be suspended and SCR 4007 be messaged to the House immediately, which motion prevailed.

#### **CONSIDERATION OF AMENDMENTS**

**SB 2083: SEN. ERBELE (Education Committee) MOVED** that the amendments on SJ pages 63-64 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### **FIRST READING OF SENATE CONCURRENT RESOLUTION**

Sens. Klein, O'Connell, Stenehjem and Reps. Berg, Boucher, Devlin introduced:

**SCR 4006:** A concurrent resolution urging the National Emergency Medical Services Scope of Practice Model Review Team to reconsider significantly raising the training requirements of emergency medical services providers.

Was read the first time.

#### **MOTION**

**SEN. CHRISTMANN MOVED** that the rules be suspended, that SCR 4006 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and be placed on the calendar for immediate second reading and final passage, which motion prevailed.

Sens. Klein, O'Connell, Stenehjem and Reps. Berg, Boucher, Devlin introduced:

#### **SENATE CONCURRENT RESOLUTION NO. 4006**

A concurrent resolution urging the National Emergency Medical Services Scope of Practice Model Review Team to reconsider significantly raising the training requirements of emergency medical services providers.

**WHEREAS**, North Dakota has a predominantly voluntary emergency medical services workforce; and

**WHEREAS**, emergency medical services volunteers give a substantial amount of their personal time to be on duty twenty-four hours per day seven days a week to render care and to transport the sick and injured, and these volunteers are a vital component of public safety; and

**WHEREAS**, the National Emergency Medical Services Scope of Practice Model would significantly increase the number of training hours required to become an emergency medical technician, eliminate the emergency medical technician intermediate level, and restrict the procedures that a paramedic could perform; and

**WHEREAS**, increasing the emergency medical services provider's training requirements may discourage individuals from volunteering as emergency medical services providers;

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That the Fifty-ninth Legislative Assembly urges the National Emergency Medical Services Scope of Practice Model Review Team to reconsider significantly raising the training requirements of emergency medical services providers; and

**BE IT FURTHER RESOLVED**, that the model review team be requested to not eliminate the emergency medical technician intermediate level and to not restrict procedures currently permitted to be performed by paramedics; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward a copy of this resolution to each member of the National Emergency Medical Services Scope of Practice

Model Review Team, the executive director of the National Association of State EMS Directors, the administrator of the National Highway Traffic Safety Administration, and each member of the North Dakota Congressional Delegation.

### SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4006:** A concurrent resolution urging the National Emergency Medical Services Scope of Practice Model Review Team to reconsider significantly raising the training requirements of emergency medical services providers.

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

SCR 4006 was declared adopted on a voice vote.

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### MOTION

**SEN. CHRISTMANN MOVED** that the rules be suspended and SCR 4006 be messaged to the House immediately, which motion prevailed.

### FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Kringstad, Flakoll, Kilzer, Nelson, Triplett and Rep. R. Kelsch introduced:

**SCR 4008:** A concurrent resolution designating Senate and House employment positions and fixing compensation.

Was read the first time.

### MOTION

**SEN. CHRISTMANN MOVED** that the rules be suspended, that SCR 4008 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and be placed on the calendar for immediate second reading and final passage, which motion prevailed.

Sens. Kringstad, Flakoll, Kilzer, Nelson, Triplett and Rep. R. Kelsch introduced:

### SENATE CONCURRENT RESOLUTION NO. 4008

A concurrent resolution designating Senate and House employment positions and fixing compensation.

### BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That for the Fifty-ninth Legislative Assembly, the following positions are designated as employee positions of the Senate and House and are to be paid the daily wages indicated:

#### SENATE

|   |       |
|---|-------|
| Secretary of the Senate                     | \$120 |
| Assistant secretary of the Senate           | 105   |
| Journal reporter                            | 117   |
| Calendar clerk                              | 105   |
| Bill clerk                                  | 100   |
| Sergeant-at-arms                            | 92    |
| Administrative assistant to majority leader | 109   |
| Staff assistant to majority leader          | 109   |
| Administrative assistant to minority leader | 109   |
| Staff assistant to minority leader          | 109   |
| Chief committee clerk                       | 109   |
| Appropriations Committee clerk              | 109   |
| Assistant Appropriations Committee clerk    | 105   |
| Committee clerk for three-day committee     | 105   |
| Committee clerk for two-day committee       | 97    |
| Assistant committee clerk                   | 86    |
| Deputy sergeant-at-arms                     | 77    |
| Chief page and bill book clerk              | 85    |
| Legislative assistant                       | 71    |

#### HOUSE

|   |       |
|---|-------|
| Chief Clerk                                 | \$120 |
| Assistant chief clerk                       | 105   |
| Journal reporter                            | 117   |
| Calendar clerk                              | 105   |
| Bill clerk                                  | 100   |
| Sergeant-at-arms                            | 92    |
| Administrative assistant to majority leader | 109   |

|   |     |
|---|-----|
| Staff assistant to majority leader          | 109 |
| Administrative assistant to minority leader | 109 |
| Staff assistant to minority leader          | 109 |
| Administrative assistant to Speaker         | 92  |
| Chief committee clerk                       | 109 |
| Appropriations Committee clerk              | 109 |
| Assistant Appropriations Committee clerk    | 105 |
| Committee clerk for three-day committee     | 105 |
| Committee clerk for two-day committee       | 97  |
| Assistant committee clerk                   | 86  |
| Payroll clerk                               | 88  |
| Deputy sergeant-at-arms                     | 77  |
| Chief page and bill book clerk              | 85  |
| Legislative assistant                       | 71  |

**BE IT FURTHER RESOLVED**, that each employee of the Fifty-ninth Legislative Assembly is entitled to an additional \$1 per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an employee of the Senate or the House, and to receive this additional compensation, which may not exceed \$10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

**BE IT FURTHER RESOLVED**, that each majority leader and each minority leader is entitled to one administrative assistant and two staff assistants, but each majority or minority leader may hire fewer or more assistants so long as the total daily compensation for the assistants hired does not exceed the total daily amount authorized for those positions by this resolution; and

**BE IT FURTHER RESOLVED**, that the report of the Employment Committee of the respective house identify the number of employees in each position by listing every employee and the position for which employed; and

**BE IT FURTHER RESOLVED**, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay, and a part-time employee may hold more than one part-time position so long as the positions held do not exceed a full-time equivalent position; and

**BE IT FURTHER RESOLVED**, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

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

**SCR 4008:** A concurrent resolution designating Senate and House employment positions and fixing compensation.

#### **ROLL CALL**

The question being on the final adoption of the resolution, 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; Christmann; Cook; Dever; Erbele; Espesgaard; 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

SCR 4008 was declared adopted on a recorded roll call vote.

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#### **MOTION**

**SEN. CHRISTMANN MOVED** that that the rules be suspended and SCR 4008 be messaged to the House immediately, which motion prevailed.

#### **REPORT OF PROCEDURAL COMMITTEE**

**MR. PRESIDENT:** Your procedural **Employment Committee (Sen. Kringstad, Chairman)** recommends the following Senate employees for the Fifty-ninth Legislative Assembly:

**2005 SENATE EMPLOYEES**

|  |  |           |
|--|--|-----------|
| William Horton                               | <u>Secretary of the Senate</u>                           | Bismarck  |
| Karen Hoovestol                              | <u>Journal Reporter</u>                                  | Bismarck  |
| Mel Beckler                                  | <u>Sergeant-at-Arms</u>                                  | Hazen     |
| Timothy Wood                                 | <u>Assistant Secretary of the Senate</u>                 | Minot     |
| Barb Peske                                   | <u>Bill Clerk</u>  | Bismarck  |
| Joe Wolf                                     | <u>Calendar Clerk</u>                                    | Bismarck  |
| Renaë Doan                                   | <u>Administrative Assistant to Majority Leader</u>       | McKenzie  |
| Lynette Pederson                             | <u>Staff Assistant to Majority Leader</u>                | Fargo     |
| Kathleen Wachter                             | <u>Administrative Assistant to Minority Leader</u>       | Bismarck  |
| Angela Popelka                               | <u>Staff Assistant to Minority Leader</u>                | Mandan    |
| Pauline Zeigler                              | <u>Chief Committee Clerk</u>                             | Bismarck  |
| Jenny Bienek                                 | <u>Appropriations Committee Clerk</u>                    | Bismarck  |
| Janet Pinks                                  | <u>Assistant Appropriations Committee Clerk</u>          | Bismarck  |
| Patty Wilkens, Education                     | <u>Committee Clerks</u>                                  | Hannover  |
| Sharon Renfrow, Finance and Taxation         |  | Bismarck  |
| Cathy Minard, Human Services                 |  | Bismarck  |
| Lisa VanBerkom, Industry, Business and Labor |  | Washburn  |
| Moirá Solberg, Judiciary                     |  | Bismarck  |
| Jan Effertz, Agriculture                     |  | Bismarck  |
| Diane Davis, Government and Veterans Affairs |  | Bismarck  |
| Janet James, Natural Resources               |  | Bismarck  |
| Shirley Borg, Political Subdivisions         |  | Bismarck  |
| Mary Monson, Transportation                  |  | Osnabrock |
| Jerry Haas                                   | <u>Assistant Committee Clerk</u>                         | Mandan    |
| Jack Eiseman                                 | <u>Deputy Sergeant-at-Arms</u>                           | Bismarck  |
| Robert Senger                                | <u>Legislative Assistant/Assistant Sergeant-at-Arms</u>  | Bismarck  |
| Constance Osowski                            | <u>Chief Page and Bill Book Clerk</u>                    | Langdon   |
| Zach Nevland                                 | <u>Legislative Assistant/Desk Page</u>                   | Bismarck  |
| Daniel Vondrachek II                         | <u>Legislative Assistants/Page and Bill Book Clerks</u>  | Bismarck  |
| Amanda Wolf                                  |  | Bismarck  |
| Christine Peterson                           |  | Antler    |
| Arlene Flanders                              | <u>Legislative Assistant/Supply Room Coordinator</u>     | Robinson  |
| Peg Iszler                                   | <u>Legislative Assistant/Information Kiosk Attendant</u> | Bismarck  |
| Austin Rogstad                               | <u>Legislative Assistant/Parking Lot Attendant</u>       | Bismarck  |

**SEN. KRINGSTAD MOVED** the the report be adopted, which motion prevailed.

**OATH OF OFFICE**

**THE PRESIDENT ADMINISTERED** the Oath of Office to Senate employees.

**SECOND READING OF SENATE BILL**

**SB 2045:** A BILL for an Act to amend and reenact section 57-38-31.1 of the North Dakota Century Code, relating to filing of composite income tax returns by passthrough entities; and to provide an effective date.

**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; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2045 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2057:** A BILL for an Act to amend and reenact section 30.1-23-01 of the North Dakota Century Code, relating to collection of the estate of a decedent by affidavit.

**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; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2057 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2064:** A BILL for an Act to amend and reenact sections 15-62.2-00.1 and 15-62.2-03.3 of the North Dakota Century Code, relating to applicants for state scholarships.

**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; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2064 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2076:** A BILL for an Act to amend and reenact subsection 2 of section 15-10-19.1 of the North Dakota Century Code, relating to the definition of resident student for tuition purposes.

**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; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson;

Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2076 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2108:** A BILL for an Act to amend and reenact subsection 2 of section 52-04-07 and subsections 1 and 6 of section 52-06-02 of the North Dakota Century Code, relating to charging of certain benefit payments to reimbursing employers' accounts, charging of benefits to base period employers, and to the definition of a full-time student who would be disqualified from receiving benefits under the unemployment compensation 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 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; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2108 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 2071, SB 2073, SB 2084, SB 2091, SB 2131, SB 2139, SCR 4002.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4006, SCR 4007, SCR 4008.

### 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: HCR 3006.

### 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 1044, HB 1054, HB 1073, HB 1078, HB 1084, HB 1087, HB 1088, HB 1090, HB 1091, HB 1095, HB 1096, HB 1131, HB 1132, HB 1133, HB 1141, HB 1147, HB 1204.

### 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 13, 2005, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**SB 2029: Judiciary Committee (Sen. Traynor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2029 was placed on the Sixth order on the calendar.

Page 1, line 15, remove "If a hearing is not requested, the court may appoint a"

Page 1, remove line 16

Page 1, line 19, after the period insert "The public administrator or corporate guardian shall then provide written notice of the motion to the state office of the protection and advocacy project, along with the contact information for each ward and proposed guardian.

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2048: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2048 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2066: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2066 was placed on the Sixth order on the calendar.

Page 1, line 2, after "districts" insert "; and to declare an emergency"

Page 2, after line 21, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2120: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2120 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2123: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2123 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2125: Judiciary Committee (Sen. Traynor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2125 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "set a parole" with "establish an initial parole expiration date that is earlier than the expiration date of the parolee's court-imposed sentence. The length of the period of parole may not extend beyond more than five years for a felony and two years for a misdemeanor from the date when the court-imposed sentence would have otherwise expired had parole not been granted. The parole board may allow a parolee to earn performance-based parole reduction at the rate of up to five days per month in accordance with performance criteria established by the parole board."

Page 1, remove line 8

Page 1, line 9, remove "from the date of parole to the parolee's earliest projected expiration of sentence."

Renumber accordingly

**FIRST READING OF SENATE BILLS**

Sens. Holmberg, Trenbeath, Triplett and Reps. DeKrey, Delmore, Kretschmar introduced:

**SB 2200:** A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to recording devices on motor vehicles; to provide a penalty; and to provide for application.

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

Sens. Wardner, Lyson and Reps. Haas, Maragos introduced:

**SB 2201:** A BILL for an Act to amend and reenact sections 54-44.5-01, 54-44.5-06, and 54-44.5-07 of the North Dakota Century Code, relating to federal block grants supporting community action agencies.

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

Sens. Wardner, Lyson and Reps. Haas, Maragos introduced:

**SB 2202:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to exempting from the open records law records concerning individual recipients of economic assistance.



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

Sen. Wardner introduced:

**SB 2203:** A BILL for an Act to create and enact a new section to chapter 57-28 of the North Dakota Century Code, relating to recovery of damages against the prior owner by the state or a political subdivision that has received property under a tax deed.

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

Sens. J. Lee, Espegard, Warner and Reps. Iverson, Kingsbury introduced:

**SB 2204:** A BILL for an Act to amend and reenact sections 13-01-14 and 51-14-01 of the North Dakota Century Code, relating to medical services provider late payment charges and credit service charges.

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

Sens. J. Lee, Espegard and Reps. Iverson, Kingsbury, Nelson introduced:

**SB 2205:** A BILL for an Act to amend and reenact subsection 6 of section 39-24-09 and section 39-24-09.1 of the North Dakota Century Code, relating to snowmobile operation by an individual who is at least twelve years of age.

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

Sens. Brown, Nelson, Traynor and Reps. Aarsvold, D. Johnson, Sitte introduced:

**SB 2206:** A BILL for an Act to provide an appropriation for providing equity funding for certain higher education institutions.

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

Sens. Trenbeath, Klein, Robinson and Reps. Kretschmar, Monson introduced:

**SB 2207:** A BILL for an Act to amend and reenact section 55-10-12 of the North Dakota Century Code, relating to the historical marker program.

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

Sens. Espegard, G. Lee, Trenbeath and Reps. Delmore, Hawken, Nottestad introduced:

**SB 2208:** A BILL for an Act to amend and reenact sections 24-02-01.5 and 39-01-01, subdivision c of subsection 2 of section 39-06.1-06, sections 39-08-18, 39-08-19, 39-21-41.2, and 51-20-01, and subsection 9 of section 57-40.3-04 of the North Dakota Century Code, relating to motor vehicle child restraint systems.

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

Sens. Krebsbach, Cook, Freborg, Urlacher and Reps. Kretschmar, Maragos introduced:

**SB 2209:** A BILL for an Act to amend and reenact subsection 14 of section 49-23-01 of the North Dakota Century Code, relating to the definition of one-call system operators.

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

Sens. Kringstad, Lyson, Robinson and Reps. Haas, L. Meier, Sitte introduced:

**SB 2210:** A BILL for an Act to amend and reenact sections 15.1-16-03 and 15.1-16-04 of the North Dakota Century Code, relating to compensation for factfinders and members of the education factfinding commission.

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

Sens. Grindberg, Flakoll, Wardner and Reps. Drovdal, Grande, N. Johnson introduced:

**SB 2211:** A BILL for an Act to amend and reenact section 48-05-11 of the North Dakota Century Code, relating to guaranteed energy savings contracts in public buildings.

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

Sens. Grindberg, Schobinger, Wardner and Reps. Brandenburg, Grande, N. Johnson introduced:

**SB 2212:** A BILL for an Act to amend and reenact section 57-15-17.1 of the North Dakota Century Code, relating to use of a school district tax levy for heating, ventilation, and air-conditioning systems; and to provide an effective date.

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

Sens. Grindberg, Fischer, Mathern, Nothing and Reps. Hawken, Price introduced:

**SB 2213:** 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 dental medical assistance reimbursement.

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

Sens. Grindberg, Brown, Kilzer and Reps. Aarsvold, Devlin, Martinson introduced:

**SB 2214:** A BILL for an Act to provide an appropriation for a capital project and to authorize the industrial commission to issue and sell evidences of indebtedness for capital projects; and to declare an emergency.

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

Sen. Mathern introduced:

**SB 2215:** A BILL for an Act to create and enact a new subsection to section 54-52-04, a new subsection to section 54-52.1-01, and five new sections to chapter 54-52.1 of the North Dakota Century Code, relating to the expansion of the uniform group insurance program to allow participation by permanent and temporary employees of private sector employers and by any other person who is otherwise without health insurance coverage; to amend and reenact section 54-52.1-02 of the North Dakota Century Code, relating to subgroups under the uniform group insurance program; to provide an appropriation; to provide a continuing appropriation; and to provide an effective date.

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

Sens. Espgaard, Heitkamp and Rep. Carlson introduced:

**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 49-21-01.8, 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.

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

Sens. Klein, Grindberg, Taylor and Reps. DeKrey, Mueller, Pollert introduced:

**SB 2217:** A BILL for an Act to create and enact two new sections to chapter 57-38, a new subsection to section 57-39.2-04, and a new section to chapter 57-43.2 of the North Dakota Century Code, relating to corporate income tax credits and a sales tax exemption for blending of biodiesel fuel and purchase of biodiesel production equipment and to provide for a transfer to the highway tax distribution fund; to amend and reenact subsection 1 of section 57-43.2-02 of the North Dakota Century Code, relating to a special fuels tax reduction for sale of biodiesel fuel; and to provide an effective date.

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

Sens. Syverson, Dever, G. Lee and Reps. Belter, Bernstein, S. Kelsh introduced:

**SB 2218:** A BILL for an Act to create and enact two new sections to chapter 37-18 of the North Dakota Century Code, relating to funding and veterans' records; to amend and reenact sections 37-14-18 and 37-18-04 of the North Dakota Century Code, relating to supervision of county veterans' service officers and duties of the commissioner of veterans' affairs; and to provide a continuing appropriation.

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

Sens. Syverson, Lyson, Traynor and Reps. Bernstein, Froelich, Porter introduced:

**SB 2219:** A BILL for an Act to create and enact a new subsection to section 62.1-04-03 of the North Dakota Century Code, relating to concealed weapon permit information.

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

Sen. Fairfield introduced:

**SB 2220:** A BILL for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to crane hunting by nonresidents.

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

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

**William R. Horton, Secretary**